



**The Meeting Transcript of  
The Los Angeles County  
Board of Supervisors**



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1           [There was no reportable action as a result of the  
2           Board of Supervisors' closed session held today.]

3

4

5

6   **SUP. BURKE, CHAIR:** THIS MORNING, THE INVOCATION WILL BE BY  
7   PASTOR MILDRED POOLE FROM SYCAMORE PARK FOURSQUARE CHURCH IN  
8   LOS ANGELES FROM THE FIRST DISTRICT. THE PLEDGE WILL BE BY  
9   THOMAS E. HANSON, COMMANDER OF MILITARY ORDER OF WORLD WARS,  
10  CHAPTER NUMBER 134, SAN FERNANDO VALLEY, FROM THE 5TH  
11  DISTRICT. REVEREND POOLE? PLEASE STAND.

12

13 **PASTOR MILDRED POOLE:** OUR GRACIOUS AND BE KIND, LOVING,  
14 HEAVENLY FATHER, WE COME TO YOU TODAY WITH THANKSGIVING IN OUR  
15 HEARTS FOR ALL OF THE PEOPLE OF THE GREAT LOS ANGELES COUNTY  
16 DISTRICT. WE COME, LORD, THANKING YOU FOR ALL OF THE PEOPLE  
17 WHO MAKE UP THIS DISTRICT, SMALL TOWNS, COMMUNITIES, AND  
18 CITIES. AND WE PRAY FOR EACH INDIVIDUAL TODAY, LORD, FOR THEM.  
19 WE PRAY THAT YOU WILL BLESS THEM AND ENCOURAGE THEM IN THEIR  
20 HOPES THAT TOMORROW WILL EVEN BE A GREATER TOMORROW THAN THIS  
21 WONDERFUL DAY TODAY. WE ASK YOUR BLESSING, LORD, UPON THEM AND  
22 THEIR HOMES. AND WE THANK YOU FOR THESE OUR LEADERS THAT ARE  
23 GATHERED HERE TODAY. WE THANK YOU, LORD, FOR THE WORK THAT  
24 THEY DO AND WE PRAY THAT YOU WILL GRANT THEM WISDOM AND  
25 KNOWLEDGE BEYOND THEIR OWN UNDERSTANDING, FOR THEY HAVE MANY



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1 TASKS THAT ARE DIFFICULT TO PERFORM. AND WE ASK, O LORD, THAT  
2 YOU WILL GIVE THEM INNOVATIVE AND GREAT SOLUTIONS TO PROBLEMS  
3 THAT THEY FACE FROM TIME TO TIME. WE PRAY THAT YOU WILL HONOR  
4 THEIR PLANS AND PROGRAMS THAT THEY INITIATE FOR THE BETTERMENT  
5 OF OUR COMMUNITY AND OUR TOWNS AND CITIES AS WELL. WE ASK,  
6 LORD, THAT THE LIVES OF THOSE THAT THEY REPRESENT WILL BE MADE  
7 BETTER BECAUSE OF THEIR EFFORTS. AND EVEN AS WE HAVE ASKED  
8 YOUR BLESSING UPON THIS GOVERNING BOARD OF SUPERVISORS TODAY,  
9 WE PRAY, FATHER, THAT YOU WILL BLESS THEM ALL INDIVIDUALLY. WE  
10 PRESENT THEM AS INDIVIDUALS BEFORE YOU TODAY. THEY SERVE US  
11 WELL, GIVING SO GENEROUSLY OF THEIR TIME AND THEIR EFFORTS,  
12 WORKING TIRELESSLY AND MANY TIMES SACRIFICIALLY IN ORDER TO  
13 MAKE THE LIVES OF THOSE THEY SERVE BETTER. WE ASK, LORD, THAT  
14 YOU WILL HONOR THEM. WE ASK THAT YOU WILL BLESS THEM WITH  
15 HEALTH AND STRENGTH. WE PRAY THAT YOUR ADVICE AND YOUR WELCOME  
16 TO THEM WILL ALWAYS CAUSE THEM TO FEEL YOUR ASSISTANCE IN TIME  
17 OF NEED. AND WE ASK, LORD, THAT YOU WILL BLESS THEIR FAMILIES,  
18 BLESS THEIR HOMES. AND WE PRAY THAT YOU WILL GIVE THEM, LORD,  
19 HEARTS THAT WILL ALWAYS ACKNOWLEDGE THAT WE NEED A POWER  
20 GREATER THAN OURSELVES. THANK YOU FOR THEM. AND SO WE ASK  
21 TODAY, LORD, THAT YOU WILL, AS YOU HAVE PROMISED, TO BE TO US  
22 A GOD WHO HEARS AND A GOD WHO ANSWERS PRAYER. WE KNOW THIS IN  
23 EXPERIENCE, AND SO WE COMMIT, LORD, TO YOU AGAIN OUR GREAT  
24 COUNTY AND ALL OF ITS LEADERS INTO YOUR HANDS AND KEEPING. WE  
25 PRAY THAT YOU WILL BLESS EACH ONE HERE TODAY, EVERY PERSON IN





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1 THIS ROOM. WE ASK, LORD, THAT YOU WILL GIVE THEM THE  
2 CONFIDENCE THAT YOU ARE A GOD WHO DOES HEAR AND ANSWER PRAYER.  
3 LET THEM SENSE YOUR PRESENCE IN THEIR LIVES TO BLESS AND TO  
4 GIVE THEM JOY AND STRENGTH AND TO HELP IN TIME OF NEED. AND  
5 ONCE AGAIN, WE THANK YOU FOR BEING WITH US TODAY AND FOR  
6 HEARING AND ANSWERING PRAYER. AMEN.

7

8 **THOMAS E. HANSON:** PLEASE FACE OUR NATION'S FLAG, PLACE YOUR  
9 RIGHT HAND OVER YOUR HEART, AND JOIN ME IN THE PLEDGE OF  
10 ALLEGIANCE. [ PLEDGE OF ALLEGIANCE ]

11

12 **SUP. BURKE, CHAIR:** SUPERVISOR MOLINA, IS SHE ON HER WAY? AND  
13 SUPERVISOR ANTONOVICH I THINK IS ON HIS WAY, SO WE WILL -- OH,  
14 HE'S NOT HERE TODAY. THEN I HAVE THE PLEASURE.

15

16 **THOMAS E. HANSON:** YES, MA'AM.

17

18 **SUP. BURKE, CHAIR:** OKAY. WELL, YOU'VE BEEN WITH US SO MANY  
19 TIMES AND WE APPRECIATE SO MUCH AND YOU'RE THE COMMANDER ORDER  
20 OF WORLD WARS. AND I DON'T HAVE -- I HAVE IT HERE. ALL YOUR  
21 BACKGROUND FROM -- WE'RE GOING TO GIVE IT AGAIN ANYHOW. HE WAS  
22 IN THE MILITARY FROM '48 TO '52, SERGEANT FIRST CLASS. AND HE  
23 WAS AT ONE TIME THE CHAIR OF THE DEPARTMENT AND STATE  
24 COMMANDERS OF VETERANS ORGANIZATIONS, COMMANDER OF CENTRAL  
25 CALIFORNIA DEPARTMENT MILITARY ORDER OF THE WORLD WARS. HE



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1 SERVED IN THE NAVY AND THE 29TH INFANTRY REGIMENT IN KOREA. HE  
2 HAS A GOOD CONDUCT MEDAL, NATIONAL DEFENSE SERVICE MEDAL,  
3 KOREA SERVICE MEDAL AND, OF COURSE, HE WAS CORPORATE EXECUTIVE  
4 FOR PACIFIC AIR TRANSPORTATION AND HE HAS BEEN IN THAT  
5 DISTRICT FOR EIGHT YEARS, BUT HE WENT TO SANTA MONICA CITY  
6 COLLEGE. VERY PLEASED TO HAVE YOU WITH US TODAY. [ APPLAUSE ]

7

8 **CLERK SACHI HAMAI:** GOOD MORNING, MADAM CHAIR, MEMBERS OF THE  
9 BOARD. WE WILL BEGIN TODAY'S AGENDA ON PAGE 3, AGENDA FOR THE  
10 MEETING OF THE COMMUNITY DEVELOPMENT COMMISSION, ITEMS 1-D  
11 THROUGH 5-D.

12

13 **SUP. BURKE, CHAIR:** MOVED BY KNABE, SECONDED BY YAROSLAVSKY.  
14 WITHOUT OBJECTION, SO ORDERED.

15

16 **CLERK SACHI HAMAI:** AGENDA FOR THE MEETING OF THE HOUSING  
17 AUTHORITY, ITEMS 1-H AND 2-H. ON ITEM 1-H, AS INDICATED ON THE  
18 SUPPLEMENTAL AGENDA, THE ACTING EXECUTIVE DIRECTOR REQUESTS  
19 THAT THIS ITEM BE REFERRED BACK TO THE HOUSING AUTHORITY.

20

21 **SUP. BURKE, CHAIR:** WITHOUT OBJECTION, SO ORDERED.

22

23 **CLERK SACHI HAMAI:** 2-H IS BEFORE YOU.

24



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1 **SUP. BURKE, CHAIR:** MOVED BY KNABE, SECONDED BY YAROSLAVSKY.

2 WITHOUT OBJECTION, SO ORDERED.

3

4 **CLERK SACHI HAMAI:** AGENDA FOR THE MEETING OF THE REGIONAL PARK

5 AND OPEN SPACE DISTRICT, ITEM 1-P.

6

7 **SUP. BURKE, CHAIR:** MOVED BY YAROSLAVSKY, SECONDED BY KNABE.

8 WITHOUT OBJECTION, SO ORDERED.

9

10 **CLERK SACHI HAMAI:** BOARD OF SUPERVISORS, ITEMS 1 THROUGH 4.

11

12 **SUP. BURKE, CHAIR:** MOVED BY KNABE, SECONDED BY YAROSLAVSKY.

13 WITHOUT OBJECTION, SO ORDERED.

14

15 **CLERK SACHI HAMAI:** CONSENT CALENDAR, ITEMS 5 THROUGH 59. ON

16 ITEM NUMBER 5, SUPERVISOR YAROSLAVSKY REQUESTS THAT THIS ITEM

17 BE CONTINUED TO NOVEMBER 25TH, 2008.

18

19 **SUP. BURKE, CHAIR:** WITHOUT OBJECTION.

20

21 **CLERK SACHI HAMAI:** ON ITEM NUMBER 6, THIS IS A FOUR-VOTE

22 MATTER AND WE WILL HOLD IT FOR FOUR VOTES.

23

24 **SUP. BURKE, CHAIR:** THAT'S ITEM 6 WE'LL HOLD.

25





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1 **CLERK SACHI HAMAI:** ITEM 6. ITEM NUMBER 11, SUPERVISOR MOLINA  
2 REQUESTS THAT THIS ITEM BE HELD.

3

4 **SUP. BURKE, CHAIR:** WE'RE HOLDING 11.

5

6 **CLERK SACHI HAMAI:** ON ITEM NUMBER 18, AS INDICATED ON THE  
7 SUPPLEMENTAL AGENDA, THE ACTING EXECUTIVE DIRECTOR REQUESTS  
8 THAT THIS ITEM BE REFERRED BACK TO THE HOUSING AUTHORITY.

9

10 **SUP. BURKE, CHAIR:** WITHOUT OBJECTION ON 18, IT WILL BE  
11 REFERRED BACK.

12

13 **CLERK SACHI HAMAI:** ON ITEM NUMBER 20, THIS IS A 4-VOTE MATTER  
14 AND WE WILL NEED TO HOLD FOR FOUR VOTES. AND THE REMAINING  
15 ITEMS ON THE CONSENT CALENDAR ARE BEFORE YOU.

16

17 **SUP. BURKE, CHAIR:** MOVED BY KNABE, SECONDED BY YAROSLAVSKY.  
18 WITHOUT OBJECTION, SO ORDERED.

19

20 **CLERK SACHI HAMAI:** WE'RE NOW ON PAGE 21, ORDINANCES FOR  
21 INTRODUCTION, ITEMS 60 THROUGH 63. ON ITEM NUMBER 60,  
22 SUPERVISOR YAROSLAVSKY REQUESTS THAT THIS ITEM BE CONTINUED TO  
23 NOVEMBER 25TH, 2008.

24

25 **SUP. BURKE, CHAIR:** WITHOUT OBJECTION.



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1

2 **CLERK SACHI HAMAI:** ON ITEM NUMBER 61, THIS IS AN ORDINANCE TO  
3 EXTEND THROUGH DECEMBER 31ST, 2009, THE TERM OF THE ELECTRICAL  
4 DISTRIBUTION FRANCHISE GRANTED TO THE SOUTHERN CALIFORNIA  
5 EDISON COMPANY, A CORPORATION BY ORDINANCE NUMBER 7062 AS  
6 AMENDED AND ON THIS ITEM, SUPERVISOR MOLINA REQUESTS THAT THE  
7 ITEM BE HELD. ON ITEM NUMBER 62, THIS IS AN ORDINANCE AMENDING  
8 TITLE 3, ADVISORY COMMISSIONS AND COMMITTEES OF THE LOS  
9 ANGELES COUNTY CODE RELATING TO CHAPTER 3.59 TREASURY  
10 OVERSIGHT COMMITTEE.

11

12 **SUP. BURKE, CHAIR:** MOVED BY YAROSLAVSKY, SECONDED BY KNABE.  
13 WITHOUT OBJECTION, SO ORDERED.

14

15 **CLERK SACHI HAMAI:** ON ITEM NUMBER 63, THIS IS AN ORDINANCE TO  
16 EXTEND THROUGH DECEMBER 31ST, 2009, THE TERM OF A GAS PIPELINE  
17 FRANCHISE GRANTED TO SOUTHERN CALIFORNIA GAS CO., A  
18 CORPORATION BY ORDINANCE NUMBER 6765, AS AMENDED.

19

20 **SUP. BURKE, CHAIR:** MOVED BY KNABE, SECONDED BY YAROSLAVSKY,  
21 AND WE'LL NOTE THAT SUPERVISOR MOLINA DID NOT VOTE ON THAT.

22

23 **CLERK SACHI HAMAI:** ON DISCUSSION ITEMS, ITEMS 64 AND 65. ON  
24 ITEM 64, WE WILL HOLD FOR A DISCUSSION. ON ITEM NUMBER 65, WE  
25 WILL HOLD FOR THE PUBLIC HEARING. ON PAGE 23, MISCELLANEOUS,



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1 ADDITIONS TO THE AGENDA WHICH WERE POSTED MORE THAN 72 HOURS  
2 IN ADVANCE OF THE MEETING, AS INDICATED ON THE SUPPLEMENTAL  
3 AGENDA, ITEM 66-A.

4

5 **SUP. BURKE, CHAIR:** MOVED BY BURKE, SECONDED BY YAROSLAVSKY.  
6 WITHOUT OBJECTION, SO ORDERED.

7

8 **CLERK SACHI HAMAI:** ON ITEM 66-B, SUPERVISOR ANTONOVICH  
9 REQUESTS THAT THIS ITEM BE CONTINUED TO NOVEMBER 18TH, 2008,  
10 AND SUPERVISOR MOLINA AND MEMBERS OF THE PUBLIC REQUEST THAT  
11 THIS ITEM BE HELD. 66-B.

12

13 **SUP. BURKE, CHAIR:** WILL WE BE CONTINUING THAT? WE'LL HAVE THE  
14 HEARING.

15

16 **CLERK SACHI HAMAI:** WE'LL HOLD IT?

17

18 **SUP. BURKE, CHAIR:** WE'LL HOLD IT AND THEN I GUESS DETERMINE  
19 WHETHER OR NOT TO CONTINUE IT.

20

21 **CLERK SACHI HAMAI:** ON PAGE 25, NOTICES OF CLOSED SESSION. ON  
22 ITEM CS-1, SUPERVISOR MOLINA AND SUPERVISOR YAROSLAVSKY  
23 REQUEST THAT THIS ITEM BE CONTINUED TO NOVEMBER 18TH, 2008.

24

25 **SUP. BURKE, CHAIR:** WITHOUT OBJECTION.



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1

2 **CLERK SACHI HAMAI:** AND THAT COMPLETES THE READING OF THE  
3 AGENDA. BOARD OF SUPERVISORS, SPECIAL ITEMS BEGINS WITH  
4 SUPERVISORIAL DISTRICT NUMBER 1.

5

6 **SUP. DON KNABE:** (OFF-MIKE) .

7

8 **CLERK SACHI HAMAI:** WE WERE HOLDING IT.

9

10 **SUP. BURKE, CHAIR:** IT'S HELD AND THEN THE QUESTION IS WHETHER  
11 OR NOT WE CONTINUE IT AND HAVE ANOTHER HEARING AFTER THIS ONE,  
12 UNLESS THE DECISION IS MADE TO CONTINUE THE WHOLE HEARING.

13

14 **SUP. YAROSLAVSKY:** --IT'S A SENSITIVE ISSUE. ANYWAY, WE'LL DEAL  
15 WITH IT.

16

17 **SUP. BURKE, CHAIR:** ALL RIGHT. IS SUPERVISOR MOLINA HERE NOW?  
18 DOES SHE WANT TO COME OUT OR DOES SHE WANT US TO GO ON AND DO  
19 -- ALL RIGHT. DO YOU WANT ME TO DO THAT? SUPERVISOR MOLINA HAS  
20 BEEN DETAINED. PASTOR POOLE, THANK YOU SO MUCH FOR JOINING US,  
21 AND YOU HAVE BEEN WITH THE SAME SYCAMORE FOURSQUARE CHURCH IN  
22 NORTHEAST LOS ANGELES FOR 65 YEARS. MY GOODNESS, THAT'S  
23 IMPRESSIVE. WE APPLAUD HER COMPASSIONATE LEADERSHIP AND  
24 SPIRITUAL GUIDANCE THAT SHE PROVIDES TO HER THRIVING  
25 CONGREGATION. THE CHURCH OFFERS A VARIETY OF OUTREACH TO ITS



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1 CONGREGANTS AND THE LOCAL COMMUNITY INCLUDING ADULT, TEEN AND  
2 MUSIC MINISTRIES. ALSO THE CHURCH IS DEDICATED TO HELP  
3 STRUGGLING SINGLE MOTHERS AND HOMELESS INDIVIDUALS. WE EXTEND  
4 OUR HEARTFELT APPRECIATION, REVEREND POOLE. THANK YOU SO MUCH  
5 FOR BEING WITH US. [ APPLAUSE ]

6

7 **SUP. BURKE, CHAIR:** I HAVE THE PRODUCTIVITY AWARDS THAT WE'LL  
8 DO AND WANT TO CONGRATULATE ALL THE EMPLOYEES IN DEPARTMENTS  
9 WHO PARTICIPATED IN THIS YEAR'S 22ND ANNUAL PRODUCTIVITY AND  
10 QUALITY AWARDS PROGRAM, THE POWER OF PRODUCTIVITY. IN 1981,  
11 THE QUALITY AND PRODUCTIVITY COMMISSION WAS FOUNDED TO LEAD  
12 THE WAY IN CARRYING OUT A PROGRAM OF PRODUCTIVITY IMPROVEMENT  
13 IN THE COUNTY. SINCE THAT TIME, THE COMMISSION HAS RECOGNIZED  
14 CREATIVE PROGRAMS WHICH PROVIDE THE HIGHEST LEVEL OF PUBLIC  
15 SERVICE, WHILE REMAINING COMMITTED TO A MORE EFFICIENT  
16 GOVERNMENT. OVER THE PAST 22 YEARS, THE COMMISSION HAS HONORED  
17 PROGRAMS THAT HAVE SAVED THE COUNTY AN ESTIMATED \$3.2 BILLION.  
18 TODAY WE CELEBRATE THE COMMISSION'S SPECIAL AWARDS AND TOP 10  
19 AWARD WINNERS. HOWEVER, WE NEED ALSO TO ACKNOWLEDGE ALL OF THE  
20 102 COUNTY PROGRAMS THAT COMPETED FOR THESE TOP HONORS. I  
21 ESPECIALLY WANT TO THANK THE QUALITY AND PRODUCTIVITY  
22 COMMISSION FOR EXCEPTIONAL LEADERSHIP IN SHOWCASING THESE  
23 PRACTICES, PRACTICES, WHICH ARE OFTEN MODELED BY OTHER COUNTY  
24 DEPARTMENTS AND GOVERNMENT AGENCIES, AND I WANT TO ACKNOWLEDGE  
25 THE COMMISSION CHAIR, AL LEGA AND AWARD COMMITTEE CHAIR,



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1 EVELYN GUTIERREZ, FOR THEIR DEDICATION. WHERE ARE THEY?  
2 THEY'RE OVER THERE. AND COMMISSIONER LEGA WOULD LIKE TO SAY A  
3 FEW WORDS.  
4  
5 **COMMISSIONER AL LEGA:** THANK YOU, SUPERVISOR BURKE.  
6 CONGRATULATIONS TO A TOP AWARD WINNERS IN THE 102 PROJECTS WHO  
7 COMPETED IN THE 22ND ANNUAL PRODUCTIVITY AWARDS. THESE  
8 EXCELLENT PROJECTS REFLECT THE CREATIVITY, INNOVATION, AND  
9 INGENUITY OF COUNTY EMPLOYEES AND THEY DEMONSTRATE THE POWER  
10 OF PRODUCTIVITY. ON A DAILY BASIS, COUNTY EMPLOYEES SEEK TO  
11 IMPROVE PROGRAMS, RESOLVE PROBLEMS AND FIND COST EFFECTIVE  
12 WAYS OF DELIVERING THE BEST PUBLIC SERVICE POSSIBLE. WE HONOR  
13 THEIR EFFORTS IN DEVELOPING THESE AMAZING PROGRAMS WHICH  
14 ENHANCE SERVICE AND PRODUCE COST SAVINGS AND IMPROVE THE LIVES  
15 OF PEOPLE IN OUR COUNTY. I WANT TO PUBLICLY THANK BEVERLY  
16 YATES, OUR PRODUCTIVITY NETWORK CHAIR, FOR HER DEDICATION AND  
17 LOYALTY TO THE COMMISSION. I ALSO WANT TO THANK RICHARD GAUSSE  
18 AND CHARLOTTE GUINN, THE COMMISSION'S PRODUCTIVITY AWARD CO-  
19 CHAIRS. THESE REMARKABLE MANAGERS PRODUCED A SPECTACULAR  
20 AWARDS PROGRAM, THE BEST TO DATE. ALSO, THE COMMISSION  
21 APPLAUDS ALL THE AWARD WINNING DEPARTMENT PROGRAM MANAGERS  
22 THAT ARE HERE TODAY. WE ARE VERY PROUD TO HONOR YOU FOR  
23 REFLECTING THE HIGHEST STANDARDS OF SERVICE EXCELLENCE AND  
24 YOUR OUTSTANDING CONTRIBUTIONS TO THE COUNTY OF LOS ANGELES.

25





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1   **SUP. BURKE, CHAIR:** AND NOW WILL THE OTHER SUPERVISORS LIKE TO  
2   JOIN ME AS WE PRESENT THESE TEAMS. ONE, THE ARTHUR GUTENBERG  
3   BEST OVERALL-TECHNOLOGY AWARD IS PRESENTED TO THE SHERIFF'S  
4   DEPARTMENT FOR THE 21ST CENTURY PATROL CAR. CAN WE HAVE THE  
5   OTHER SUPERVISORS?

6

7   **SUP. KNABE:** OH, I THOUGHT YOU WERE GOING TO READ WHAT THE  
8   PROGRAM WAS ABOUT.

9

10   **SUP. BURKE, CHAIR:** WELL, NOT NOW.

11

12   **SUP. KNABE:** OH.

13

14   **SUP. BURKE, CHAIR:** IF IT'S THE ONE I THINK IT IS -- (OFF-  
15   MIKE). CONGRATULATIONS. SORRY YOU HAD TO WAIT UP HERE SO LONG.  
16   THANK YOU. CONGRATULATIONS. [ APPLAUSE ]

17

18   **SUP. BURKE, CHAIR:** THE BEST APPLICATION OF TECHNOLOGY AWARD IS  
19   PRESENTED TO THE PUBLIC LIBRARY WITH CHIEF INFORMATION OFFICE,  
20   COUNTY COUNSEL, AND INTERNAL SERVICES FOR THE I.L.S.  
21   INTEGRATED LIBRARY SYSTEM ON TIME AND ON BUDGET.

22

23   **SUP. BURKE, CHAIR:** CONGRATULATIONS. THE BEST INNOVATIVE USE OF  
24   TECHNOLOGY AWARD IS PRESENTED TO THE SHERIFF'S DEPARTMENT FOR  
25   THE ADVANCED SURVEILLANCE AND PROTECTION, A.S.A.P.



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1 CONGRATULATIONS. THE BEST QUALITY IMPROVEMENT AWARD IS  
2 PRESENTED TO PUBLIC SOCIAL SERVICES FOR THE RESTAURANT MEALS  
3 FOR THE HOMELESS, ELDERLY, DISABLED. CONGRATULATIONS. THE  
4 COMMISSION'S MEMORIAL AWARD IS PRESENTED TO THE CORONER, WITH  
5 PUBLIC HEALTH AND INTERNAL SERVICES FOR THE IMPROVED  
6 PROCESSING OF DEATH CERTIFICATES. CONGRATULATIONS. [ APPLAUSE  
7 ]

8

9 **SUP. BURKE, CHAIR:** CONGRATULATIONS. THIS IS GOING TO BE A  
10 CHALLENGE. THANK YOU. (OFF-MIKE). THE COUNTY IMAGE ENHANCEMENT  
11 AWARD IS PRESENTED TO THE SHERIFF'S DEPARTMENT FOR THE FALLEN  
12 OFFICER.

13

14 **SUP. DON KNABE:** YVONNE, THEY CAN'T HEAR YOU.

15

16 **SUP. BURKE, CHAIR:** THE COUNTY IMAGE ENHANCEMENT AWARD IS  
17 PRESENTED TO THE SHERIFF'S DEPARTMENT FOR THE FALLEN OFFICER  
18 RECOGNITION PROGRAM. CONGRATULATIONS.

19

20 **SPEAKER:** THANK YOU.

21

22 **SUP. BURKE, CHAIR:** I GUESS WE'LL MOVE OVER THIS WAY.  
23 SUPERVISOR YAROSLAVSKY? SUPERVISOR MOLINA? CONGRATULATIONS.  
24 THE PERFORMANCE MEASURE AWARD IS PRESENTED TO ALTERNATE PUBLIC  
25 DEFENDER FOR THE PERFORMANCE AND EVALUATION MANAGEMENT SYSTEM.



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1 (OFF MIKE) THE PERSONAL BEST AWARD IS PRESENTED TO HEALTH  
2 SERVICES FOR THE IMPROVED MEDICATION SAFETY FOR PEDIATRIC  
3 PATIENTS, ROBIN WATSON. ACCEPTING ON BEHALF OF ROBIN WATSON IS  
4 DR. RICHARD MENK. CONGRATULATIONS. CONGRATULATIONS.

5

6 **SUP. MOLINA:** OH MY GOSH, WHAT DID YOU GUYS WIN FOR?

7

8 **SUP. BURKE, CHAIR:** PEDIATRIC MEDICATION.

9

10 **SUP. MOLINA:** OH, VERY GOOD.

11

12 **SUP. BURKE, CHAIR:** THE PLAIN LANGUAGE AWARD IS PRESENTED TO  
13 PUBLIC HEALTH FOR THE ENHANCING PUBLIC HEALTH MESSAGES. PUBLIC  
14 HEALTH. WHERE IS PUBLIC HEALTH? ENHANCING MESSAGES.

15

16 **SUP. MOLINA:** THEY'RE RIGHT HERE.

17

18 **SUP. BURKE, CHAIR:** THE PRODUCTIVITY ENHANCEMENT AWARD IS  
19 PRESENTED TO CHILD SUPPORT SERVICES WITH SUPERIOR COURT FOR  
20 PUBLIC CHECK-IN SYSTEM. AND I UNDERSTAND THAT ONLY THE  
21 SUPERIOR COURT IS HERE. AND NOW FOR TOP 10 AWARDS PRESENTED TO  
22 HEALTH SERVICES, RANCHO LOS AMIGOS FOR LANGUAGE AND CULTURE,  
23 RESOURCE CENTER, VIDEO MEDICAL INTERPRETATION PROJECT.  
24 CONGRATULATIONS. DID I READ THE WRONG THING? THAT WAS THE  
25 BREATH MOBILE PROGRAM. WAIT A MINUTE. NO, IT WASN'T. THAT WAS



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1 UNIFIED PUBLIC SCHOOLS? THE NEXT TOP 10 AWARD IS PRESENTED TO  
2 HEALTH SERVICES, RANCHO LOS AMIGOS FOR THE LANGUAGE AND  
3 CULTURE RESOURCE CENTER, VIDEO MEDICAL INTERPRETATION PROJECT.  
4 THE NEXT TOP 10 AWARD IS PRESENTED TO BEACHES AND HARBOR FOR  
5 THE LEASE TRANSFER FEE AND INNOVATIVE PARTNERSHIP.  
6 CONGRATULATIONS. THE NEXT TOP 10 AWARD AND THE BEST  
7 INTERAGENCY COOPERATION AWARD ARE PRESENTED TO DEPARTMENT OF  
8 CHILDREN AND FAMILY SERVICES WITH MENTAL HEALTH FOR THE MULTI-  
9 DISCIPLINARY ASSESSMENT TEAM., M.A.T. CONGRATULATIONS. THANK  
10 YOU VERY MUCH. NEXT TOP 10 AWARD IS PRESENTED TO HEALTH  
11 SERVICES RANCHO LOS AMIGOS NATIONAL REHABILITATION CENTER FOR  
12 THE PATIENT VISIT REDESIGN AND AMBULATORY CARE CLINIC.  
13 [APPLAUSE.] CONGRATULATIONS. THE NEXT TOP 10 AWARD IS  
14 PRESENTED TO THE BOARD OF SUPERVISORS, FIRST DISTRICT WITH  
15 SHERIFF'S DEPARTMENT, PROBATION, DISTRICT ATTORNEY, PUBLIC  
16 WORKS, COUNTY COUNSEL AND THE CITY OF PICO RIVERA FOR THE PICO  
17 RIVERA STATION VANDALISM ENFORCEMENT TEAM.

18

19 **SUP. MOLINA:** THANK YOU EVERYBODY. CONGRATULATIONS TO ALL OF  
20 US.

21

22 **SUP. BURKE, CHAIR:** CONGRATULATIONS. GOOD JOB. THE NEXT TOP 10  
23 AWARD IS PRESENTED TO THE SHERIFF'S DEPARTMENT WITH MENTAL  
24 HEALTH, PUBLIC SOCIAL SERVICES, CHILDREN AND FAMILY SERVICES,



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1 AND CHILD SUPPORT SERVICES FOR THE WOMEN'S REINTEGRATION  
2 SERVICE PROJECT. CONGRATULATIONS, CONGRATULATIONS.

3

4 **SUP. YAROSLAVSKY:** HANG ON. THERE'S MORE PEOPLE. HANG ON.

5

6 **SUP. BURKE, CHAIR:** CONGRATULATIONS. THANK YOU VERY MUCH.

7 CONGRATULATIONS. THE BRONZE EAGLE AWARDS ARE NOW PRESENTED,  
8 FIRST OF ALL, TO INTERNAL SERVICES WITH CHIEF INFORMATION  
9 OFFICE FOR THE INFORMATION TECHNOLOGY SHARED SERVICES. OKAY.

10 HERE'S THE BRONZE EAGLE AWARD. CONGRATULATIONS.

11 CONGRATULATIONS. AND NOW WE HAVE THE BRONZE EAGLE AWARDS.

12 OKAY, GET EVERYBODY IN HERE. CONGRATULATIONS. CONGRATULATIONS.

13 THE SILVER EAGLE AWARD IS PRESENTED TO PUBLIC WORKS FOR THE  
14 WIRELESS TRAFFIC MANAGEMENT. IT'S THE REAL THING.

15 CONGRATULATIONS. THAT'S RIGHT, DECEMBER 1ST. CONGRATULATIONS.

16 SUPERVISOR MOLINA AND KNABE. AND THIS GOLD EAGLE AWARD IS

17 PRESENTED TO HEALTH SERVICES FOR THE SYSTEM-WIDE

18 PHARMACEUTICAL MANAGEMENT. AND DR. SCHUNHOFF WOULD LIKE TO SAY

19 A FEW WORDS. WHERE IS DR. SCHUNHOFF?

20

21 **SUP. YAROSLAVSKY:** TAKE THE PICTURE FIRST.

22

23 **SUP. BURKE, CHAIR:** WE'LL TAKE A PICTURE FIRST AND THEN SAY A  
24 FEW WORDS.

25



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1   **SUP. KNABE:** JUST BECAUSE I'VE GOT TO LEAVE AT 10:30, QUARTER  
2   TO 11:00.

3

4   **DR. JOHN SCHUNHOFF:** THANK YOU, SUPERVISORS. THIS WAS A MAJOR  
5   TEAM EFFORT FROM THE PHARMACY STAFF, THE STAFF AT THE  
6   FACILITIES AND C.E.O.S. I'M SORRY. OKAY. THERE WE GO. THIS WAS  
7   A MAJOR EFFORT FROM THE CENTRAL PHARMACY STAFF, THE PHARMACY  
8   STAFF AT THE FACILITIES AND ALL THE FACILITY C.E.O.S. THIS  
9   TEAM SAVED MORE THAN HALF THE FINANCIAL STABILIZATION THAN WE  
10   DID IN THE DEPARTMENT LAST YEAR, A MAJOR EFFORT. AND I WOULD  
11   LIKE AMY GUTIERREZ, WHO IS OUR PHARMACY CHIEF, TO SAY A COUPLE  
12   OF WORDS.

13

14   **AMY GUTIERREZ:** THANK YOU, DR. SCHUNHOFF. ON BEHALF OF THE  
15   SYSTEM PHARMACEUTICAL MANAGEMENT TEAM, WE THANK THE LOS  
16   ANGELES COUNTY PRODUCTIVITY AND QUALITY COMMISSION FOR THIS  
17   RECOGNITION. THE SAVINGS RECOGNIZED BY THIS AWARD ARE THE  
18   RESULTS OF CAREFUL VISION, STRATEGIC PLANNING AND INVESTMENT  
19   IN THE MANAGEMENT OF CHANGE. THREE YEARS AGO, THERE WAS NO  
20   CENTRALIZED PHARMACY STRUCTURE, THE HEALTHCARE SYSTEM  
21   FORMULARY COMMITTEE HAD DISBANDED, PHARMACEUTICAL COSTS WERE  
22   SPIRALING AND PRESCRIBING AND PURCHASING DECISIONS WERE LEFT  
23   TO EACH HEALTHCARE FACILITY WITH THE ASSUMPTION THAT THE  
24   COUNTY WOULD ALWAYS BE THERE TO PAY THE BILLS. THROUGH  
25   COLLABORATION WITH THE C.E.O.'S OFFICE, D.H.S. LEADERSHIP HAD





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1 THE FORESIGHT TO INVEST IN A STRATEGIC PLAN FOR PHARMACEUTICAL  
2 MANAGEMENT AS A MEANS TO FACILITATE CHANGE IN THE SYSTEM WITH  
3 THE GOAL OF IMPROVED PATIENT OUTCOMES AND OPTIMAL FISCAL  
4 MANAGEMENT OF COUNTY RESOURCES. WITH THE AUDACIOUS GOAL THAT  
5 OUR SYSTEM, FROM BOTH THE CENTRALIZED TEAM TO FACILITY-BASED  
6 TEAMS, COULD ACTUALLY CONTROL ESCALATING COSTS, WE IMPLEMENTED  
7 THIS PLAN. IT WAS TRULY A TEAM EFFORT. WE ESTABLISHED A  
8 CENTRAL SYSTEM PHARMACEUTICAL STRUCTURE, HIRED PHARMACISTS TO  
9 COLLECT DATA AND OBJECTIVELY REVIEWED THE EFFICACY OF  
10 COMPARABLE DRUGS. WE REVITALIZED OUR PHYSICIAN-BASED PHARMACY  
11 AND THERAPEUTICS COMMITTEE, ESTABLISHED 13 EXPERT SPECIALTY  
12 PANELS FROM OUR HOSPITALS AND CLINICS, AND CREATED GUIDELINES  
13 THAT PROMOTED IMPROVED PATIENT OUTCOMES IN A COST EFFECTIVE  
14 MANNER. WE MONITORED PHYSICIAN PRESCRIBING PATTERNS AND  
15 PROVIDED THESE PATTERNS TO OUR MEDICAL LEADERSHIP IN AN  
16 ATTEMPT TO MANAGE THE QUALITY AND COST IMPACT OF PRESCRIBING  
17 BEHAVIORS. PHARMACEUTICAL CONTRACTS WERE NEGOTIATED, PREFERRED  
18 DRUGS WERE IDENTIFIED, AND ALL MEDICATION PURCHASE DECISIONS  
19 WERE MADE AT THE CENTRAL SYSTEM LEVEL. INITIATIVES WERE WELL  
20 PROMOTED TO HEALTHCARE PROVIDERS THROUGHOUT THE SYSTEM AND WE  
21 CAREFULLY ANALYZED DATA TO REVIEW THE IMPACT OF OUR DECISIONS.  
22 IN SUMMARY, WE MANAGED THE COUNTY'S APPROXIMATE \$150 MILLION  
23 DRUG BUDGET AS A BUSINESS WOULD, REALIZING THAT EVERY DOLLAR  
24 THAT WE JUDICIOUSLY SPENT CONTRIBUTED TO KEEP OUR HEALTHCARE  
25 SYSTEM OPERATIONAL. WE ACHIEVED \$46 MILLION IN COST AVOIDANCE,



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1 ENOUGH TO KEEP AT LEAST ONE HEALTH CLINIC AFLOAT. THE COUNTY  
2 IS FACING A BUDGET CRISIS THAT'S DAUNTING. IN TIMES OF BUDGET  
3 SHORTFALL, THE HISTORICAL ACTIONS FOR MOST PUBLIC HEALTH  
4 SYSTEMS IN THE U.S. INVOLVES THE IMPLEMENTATION OF ACROSS THE  
5 BOARD REDUCTIONS IN AN ATTEMPT TO KEEP SOME SEMBLANCE OF  
6 SERVICES INTACT. I URGE THAT CONSIDERATION BE PLACED ON THE  
7 PRIORITIZATION OF TARGET AREAS WITHIN OUR SYSTEM WHERE A  
8 CAREFULLY IMPLEMENTED STRATEGIC PLAN MAY REDUCE OPERATIONAL  
9 COSTS, YET MINIMIZE SERVICE IMPACT AS WAS THE CASE WITH THE  
10 PLAN THAT WE IMPLEMENTED. THE COUNTY'S RETURN ON INVESTMENT  
11 WILL CONTRIBUTE TO THE MANAGEMENT OF THE BUDGET SHORTFALLS AND  
12 IMPROVE OUR ABILITY TO MAINTAIN CRITICAL COUNTY SERVICES TO  
13 THE PUBLIC WITH WHOM WE SERVE. THANK YOU.

14

15 **SUP. BURKE, CHAIR:** CONGRATULATIONS. [ APPLAUSE ]

16

17 **SUP. BURKE, CHAIR:** SUPERVISOR MOLINA, DO YOU HAVE ANY  
18 PRESENTATIONS? ALL RIGHT. THEN I'LL DO WORLD DIABETES DAY.

19

20 **SUP. YAROSLAVSKY:** I HAVE -- OH, YOU'RE NEXT. AFTER YOU.

21

22 **SUP. BURKE, CHAIR:** I'D LIKE TO CALL FORWARD WORLD DIABETES DAY  
23 PARTICIPANTS. NEARLY 21 MILLION AMERICAN CHILDREN AND ADULTS  
24 HAVE TYPE ONE JUVENILE AND TYPE TWO DIABETES, A SERIOUS  
25 DISEASE THAT HAS NO CURE. DIABETES IS THE FIFTH LEADING CAUSE



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1 OF DEATH BY DISEASE IN THE UNITED STATES. MORE THAN ONE-THIRD  
2 OF THE PEOPLE WITH DIABETES ARE NOT EVEN AWARE THEY HAVE THE  
3 DISEASE. MILLIONS OF AMERICANS LACK ACCESS TO CARE, TREATMENT  
4 AND EDUCATION NEEDED TO MANAGE THE DISEASE AND PREVENT ITS  
5 SERIOUS AND COSTLY COMPLICATIONS. AN INCREASE IN COMMUNITY  
6 AWARENESS IS SOMETHING THAT WE HAVE TO HAVE. THE UNITED  
7 NATIONS GENERAL ASSEMBLY HAS DESIGNATED NOVEMBER 14TH AS WORLD  
8 DIABETES DAY. THE JUVENILE DIABETES RESEARCH FOUNDATION HAS  
9 WORKED FOR 25 YEARS IN LOS ANGELES COUNTY TO RAISE DIABETES  
10 AWARENESS. IT'S WITH GREAT PLEASURE THAT I PRESENT THIS SCROLL  
11 TO THE JUVENILE DIABETES RESEARCH FOUNDATION AS WE PROCLAIM  
12 NOVEMBER 14TH AS WORLD DIABETES DAY. SUPERVISOR MOLINA, DID  
13 YOU HAVE ANY PRESENTATIONS? SUPERVISOR YAROSLAVSKY, YOU HAVE A  
14 PRESENTATION. I HAVE ONE ADJOURNMENT. (OFF-MIKE).

15

16 **SUP. YAROSLAVSKY:** MADAM CHAIR, IT'S A PRIVILEGE, BITTERSWEET  
17 PRIVILEGE TO ASK JEAN-PIERRE GUAY TO COME UP. IS HE HERE? OUR  
18 FRIENDS FROM QUEBEC, CANADA. I HOPE I DIDN'T BUTCHER THE NAME.  
19 JEAN-PIERRE, I KNOW I GOT RIGHT. JEAN-PIERRE GUAY. IMAGINE  
20 THAT, AND I PASSED MY FRENCH EXAM IN GRADUATE SCHOOL. SHOWS  
21 YOU THE QUALITY OF OUR EDUCATION. WHERE IS JEAN-PIERRE? HOW  
22 ARE YOU? COME ON UP HERE. MADAM CHAIR, WE HAVE THE PRIVILEGE  
23 OF SAYING GOOD-BYE TO JEAN-PIERRE GUAY, WHO WAS THE CHIEF  
24 PILOT FOR SERVICE AERIEN GOUVERNEMENTAL OF QUEBEC. AND SINCE  
25 1994 HAS FAITHFULLY SERVED THE LOS ANGELES COUNTY FIRE



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1 DEPARTMENT FOR THE LAST 15 YEARS AS A CL-415 SUPER SCOOPER  
2 PILOT. JEAN-PIERRE GUAY HAS HELPED ENSURE THE PROTECTION OF  
3 THE 10-1/2 MILLION RESIDENTS OF THE COUNTY OF LOS ANGELES FROM  
4 THE DEVASTATING AND OFTEN DEADLY EFFECTS OF WILD LAND BRUSH  
5 FIRES. LOS ANGELES COUNTY FIRE DEPARTMENT AND SERVICE AERIEN  
6 GOUVERNEMENTAL, QUEBEC HAVE JOINED TOGETHER AS A COHESIVE UNIT  
7 THROUGH THIS HIGHLY EFFECTIVE PUBLIC SAFETY PARTNERSHIP FOR  
8 THE PROVISION OF FIXED-WING AERIAL FIRE FIGHTING RESOURCES.  
9 THE PEOPLE OF THE COUNTY OF LOS ANGELES RECOGNIZE THAT THE  
10 SUCCESS OF THIS PARTNERSHIP IS DUE LARGELY TO THE COURAGEOUS  
11 AND INSPIRATIONAL LEADERSHIP OF CHIEF PILOT JEAN-PIERRE GUAY  
12 AND HIS TEAM OF PILOTS AND MECHANICS WHO LEAVE BEHIND THEIR  
13 HOMES IN QUEBEC EACH YEAR TO ANSWER THE CALL TO ASSIST IN THE  
14 PROTECTION OF LIFE, PROPERTY AND THE ENVIRONMENT HERE IN LOS  
15 ANGELES COUNTY. THE BOARD OF SUPERVISORS -- BEFORE I READ THE  
16 RESOLUTION, JEAN-PIERRE IS GOING TO RETIRE OFFICIALLY AN APRIL  
17 23RD, 2009, AFTER 32 YEARS OF FAITHFUL AND DEDICATED SERVICE  
18 TO PROTECTING PEOPLE ALL OVER THE NORTH AMERICAN CONTINENT AND  
19 BEYOND. HE HAS ACCUMULATED IN EXCESS OF 9,000 FLIGHT HOURS,  
20 INCLUDING OVER 3,000 ON AIR TANKER AIRCRAFT SUCH AS THE SUPER  
21 SCOOPER THAT IS SO WELL KNOWN HERE IN LOS ANGELES COUNTY. HE  
22 HAS BEEN A LOVER OF AVIATION SINCE THE LATE '50S, BUT HIS  
23 FATHER WORKED FOR THE SAME COMPANY AND HE GOT INTO THE  
24 AIRCRAFT -- INTERESTED IN AIRCRAFT AND PILOTING AND THIS IS  
25 WHAT THAT CURIOSITY MADE OF HIM. I WANT TO TELL YOU THAT THE



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1 FIRST YEAR -- THE FIRST FIRE I HAD AS A COUNTY SUPERVISOR WAS  
2 IN 1996, I THINK IT WAS CALABASAS-MALIBU FIRE OF '96, AND  
3 CHIEF FREEMAN WILL REMEMBER THAT. HE AND I WILL BE FOREVER  
4 BONDED BY THAT EXPERIENCE. AND WE WERE WATCHING, AND IT WAS A  
5 VERY, VERY TIGHT CANYON WHERE YOU WERE TRYING TO DUMP SOME  
6 WATER ON IT, AND THE WINDS WERE QUITE VIOLENT AND  
7 UNPREDICTABLE, THEY WERE SWIRLING, AND IN CAME THE SUPER  
8 SCOOPER AND, FRANKLY, I DON'T KNOW ABOUT FREEMAN, BUT I DIDN'T  
9 KNOW THAT YOU WERE GOING TO MAINTAIN YOUR AERODYNAMIC  
10 CAPABILITY WITH THAT AIRCRAFT. IT WAS MOVING ALL OVER THE  
11 PLACE. YOU DROPPED THE WATER, HELPED TO SLOW THE FIRE DOWN AND  
12 THE FIRE ENDED UP BEING A RELATIVELY MINOR EVENT COMPARED TO  
13 WHAT IT COULD HAVE BEEN, AND THAT HAS CHARACTERIZED THE WORK  
14 THAT YOU AND YOUR PILOTS HAVE DONE OVER THESE YEARS. I THINK  
15 YOU KNOW THAT THE PEOPLE OF LOS ANGELES COUNTY ARE ENAMORED  
16 WITH THE SUPER SCOOPER. IT WAS THE FIRST, OTHER THAN  
17 HELICOPTERS, IT WAS THE FIRST FIXED WING FIRE FIGHTING  
18 AIRCRAFT THAT WAS USED HERE OVER THESE MANY YEARS. AND WE HAVE  
19 MAINTAINED THE CONTRACT WITH YOUR -- WITH THE PROVINCE OF  
20 QUEBEC WITH WHOM WE HAVE THIS RELATIONSHIP THAT PROVIDES THE  
21 SUPER SCOOPERS EVERY FALL AND NOW WELL INTO THE WINTER,  
22 UNFORTUNATELY, BECAUSE OF THE LONGER FIRE SEASONS. JEAN-PIERRE  
23 IS MARRIED TO LOUISE TOURJHON, ONE OF THE COLLATERAL BENEFITS  
24 OF HAVING A RELATIONSHIP WITH QUEBEC IS MY FRENCH HAS IMPROVED  
25 TREMENDOUSLY IN THESE 14 YEARS. WE ARE SO PROUD TO HAVE THIS



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1 PARTNERSHIP WITH QUEBEC AND WITH YOUR MEN AND WOMEN AND THE  
2 PEOPLE WHO FLY AND MAINTAIN THESE AIRCRAFT. WE WANT TO PRESENT  
3 YOU WITH THIS PROCLAMATION FROM THE BOARD OF SUPERVISORS, ALL  
4 FIVE OF US AND SIGNED IT, ALL OF THE PEOPLE OF LOS ANGELES  
5 COUNTY BENEFIT FROM THIS RELATIONSHIP, NOT JUST COUNTY  
6 GOVERNMENT, AND WE THANK YOU VERY MUCH FOR YOUR GREAT SERVICE  
7 TO US.

8

9 **JEAN-PIERRE GUAY:** THANK YOU VERY MUCH.

10

11 **SUP. YAROSLAVSKY:** AND BEFORE I ASK YOU TO SAY A WORD, I THINK  
12 WE HAVE A REPRESENTATIVE FROM QUEBEC, DENIS TURCOTTE. COME ON  
13 OVER HERE, WHO IS REPRESENTING THE QUEBEC GOVERNMENT. HE IS  
14 THE QUEBEC GOVERNMENT REPRESENTATIVE HERE IN LOS ANGELES, THE  
15 13 SOUTHWESTERN STATES. DENIS.

16

17 **DENIS TURCOTTE:** THANK YOU, SIR, MADAM CHAIR, MEMBERS OF THE  
18 BOARD. JEAN-PIERRE, LOUISE, IT IS A PLEASURE AND AN HONOR TO  
19 ADDRESS THIS GROUP AND TAKE PART IN THIS MOST INSPIRING  
20 CEREMONY. AS SOME OF YOU MAY HAVE SEEN IN THE "L.A. TIMES" ON  
21 SATURDAY, THIS JOURNAL RAN A VERY FLATTERING PROFILE OF JEAN-  
22 PIERRE GUAY THAT READS TRULY LIKE AN ACTION ADVENTURE SCRIPT  
23 FILLED WITH HIGH FLYING SEQUENCES OF DARING DO AND ABRUPT  
24 PILOT MANEUVERS OVER OPEN SEA AND THROUGH THROUGH THE ERRATIC  
25 WINDS OF NARROW MOUNTAIN CANYONS. AND LIKE ALL ACTION





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1 ADVENTURES, THE STORY TELLS OF LIVES SAVED, OF HOMES SPARED,  
2 AND CROWDS CHEERING FOR A SCRAPPY HERO WHO OVERCAME ALL ODDS  
3 AND NOW GETS TO FLY OFF INTO THE SUNSET. ONLY IN JEAN-PIERRE'S  
4 CASE, WHO IS RETURNING TO QUEBEC, I SUGGEST HE AIM FOR THE  
5 SUNRISE, IT'S A MORE DIRECT ROUTE. THE "L.A. TIMES" ARTICLE BY  
6 STAFF WRITER BOB POOLE, WHOM I WOULD LIKE TO THANK FOR A  
7 FANTASTIC ARTICLE, FEATURED THIS BRILLIANT PORTRAIT BY  
8 PHOTOGRAPHER MEL MALCOLM, WHICH IS JEAN-PIERRE POSING IN FRONT  
9 OF THE QUEBEC ONE SUPER SCOOPER HE PILOTED THROUGH 14 SEASONS  
10 OF L.A. BRUSH FIRES. AS HE STANDS THERE WITH GREAT PRIDE AND  
11 WITH GREAT DIGNITY CREWMATE RENE LAMAY IS CEREMONIOUSLY  
12 DUMPING ONE FINAL ICY COLD BUCKET OF WATER ON HIS HEAD. I  
13 COULDN'T HELP BUT SMILE WHEN I SAW THIS PICTURE SINCE IT'S ALL  
14 THE BETTER TO HELP THE POOR DEVIL BRACE FOR WINTER IN QUEBEC.  
15 WHAT CAN I SAY? QUEBECERS LIVE IN A RATHER COLD CLIMATE, WHICH  
16 IS PROBABLY WHY WE'RE SUCH A WARM PEOPLE. IT'S ONE PART  
17 HOSPITALITY AND ONE PART WINTER SURVIVAL SKILLS. IN THE NEARLY  
18 40 YEARS THAT THE GOVERNOR OF QUEBEC HAS OPERATED AN OFFICE IN  
19 LOS ANGELES, ONE OF THE SIX QUEBEC MAINTAINS IN YOUR COUNTRY,  
20 WORKING WITH CALIFORNIANS TO ENCOURAGE STRONGER ECONOMIC,  
21 ACADEMIC AND CULTURAL TIES BETWEEN OUR RESPECTIVE REGIONS,  
22 YOU, JEAN-PIERRE, ARE THE TYPE OF AMBASSADOR FOR WHICH WE CAN  
23 BE MOST PROUD. THERE ARE ANGELINOS WHO OWE YOU THEIR LIVES AND  
24 THEIR HOMES, AND THEIR FAMILIES. AND ALTHOUGH WE ARE SADDENED  
25 BY YOUR DEPARTURE, WE ARE VERY PROUD TO ANNOUNCE THAT YOUR



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1 TEAM'S WORK WILL CONTINUE AND WILL DOUBLE AS THE SKIES OF  
2 SOUTHERN CALIFORNIA WELCOME TWO MORE SUPER SCOOPERS, THE  
3 QUEBEC THREE AND THE QUEBEC FOUR, WHICH BEGAN SOARING IN  
4 OCTOBER OVER SAN DIEGO COUNTY. SO TO YOU, TO YOUR COLLEAGUES,  
5 THANK YOU VERY MUCH. [ APPLAUSE ]

6

7 **SUP. YAROSLAVSKY:** THANK YOU DENIS. AND LAST, LET ME ASK OUR  
8 FIRE CHIEF, P. MICHAEL FREEMAN, TO MAKE A SPECIAL  
9 PRESENTATION.

10

11 **P. MICHAEL FREEMAN, FIRE CHIEF :** THANK YOU VERY MUCH, MADAM  
12 CHAIR, MEMBERS OF THE BOARD. WANT TO THANK YOU FOR YOUR  
13 CONTINUED SUPPORT OF THE CONTRACT AIRCRAFT PROGRAM. IT IS SO  
14 CRUCIAL TO OUR WILD LAND FIRE FIGHTING EFFORTS HERE IN THE  
15 COUNTY OF LOS ANGELES. ALSO, I'D JUST LIKE TO, ON BEHALF OF  
16 ALL THE MEN AND WOMEN OF THE LOS ANGELES COUNTY FIRE  
17 DEPARTMENT, EXTEND OUR DEEP APPRECIATION TO TO JEAN-PIERRE AND  
18 BEST WISHES TO HIM AND HIS WIFE FOR A VERY LONG AND WELL-  
19 DESERVED RETIREMENT. THANK YOU FOR YOUR MANY HOURS, MANY YEARS  
20 OF SERVICE HERE IN LOS ANGELES COUNTY AND BEST WISHES. [  
21 APPLAUSE ]

22

23 **SUP. KNABE:** ZEV? ZEV? I THINK WE ALL IN ONE WAY OR ANOTHER  
24 BENEFITED, AND I JUST WANTED TO THROW MY TWO CENTS IN. THERE  
25 HAVE BEEN THREE OR FOUR EFFORTS OVER THE YEARS OUT THERE IN



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1 HACIENDA HEIGHTS ON THE SIDE OF THE HILL WHERE THE SUPER  
2 SCOOPER GOES UP AND DROPS AND IT HAS SAVED A MULTITUDE OF  
3 HOMES AND WHAT COULD HAVE BEEN AN ABSOLUTE DISASTER IN MANY  
4 OCCASIONS THAT WE HAVE BENEFITED BY HIS TALENTS. SO WE  
5 APPRECIATE IT AND WISH YOU AND YOUR FAMILY THE BEST IN  
6 RETIREMENT. THANK YOU VERY MUCH.

7

8 **SUP. BURKE, CHAIR:** ABSOLUTELY. I'D LIKE TO JOIN.

9

10 **SUP. BURKE, CHAIR:** ABSOLUTELY. GREAT RETIREMENT.

11

12 **SUP. YAROSLAVSKY:** THANK YOU, MADAM CHAIR, AND LET ME NOW TURN  
13 IT OVER TO JEAN-PIERRE AND SAY TO YOU, REALLY FROM THE BOTTOM  
14 OF OUR COLLECTIVE HEARTS, MERCI BEAUCOUP AND AU REVOIR.

15

16 **JEAN-PIERRE GUAY:** I WOULD LIKE TO SAY THANK YOU TO MY WIFE AND  
17 OTHER CREW MEMBERS OF THE SUPER SCOOPER AND EVERYBODY OF THE  
18 BOARD OF SUPERVISORS, SHERIFF FREEMAN AND ALL THE CHIEF WE  
19 HAVE WORKED WITH ME THE LAST FEW YEARS, ESPECIALLY CHIEF  
20 MULROONEY, TOGETHER FOR THE LAST 5, SIX YEARS. SO THANKS VERY  
21 MUCH, EVERYBODY. THANK YOU. [ APPLAUSE ]

22

23 **SUP. BURKE, CHAIR:** I'M GOING TO CALL UP ITEM 6 FIRST, AND  
24 THAT'S MOVED BY KNABE, SECONDED BY MOLINA. WITHOUT OBJECTION,  
25 SO ORDERED. ITEM 20, MOVED BY YAROSLAVSKY, SECONDED BY KNABE.



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1 WITHOUT OBJECTION, SO ORDERED. THOSE WERE 4-VOTE ITEMS THAT WE  
2 HAD TO WAIT. BUT NOW SUPERVISOR KNABE, I KNOW YOU HAVE SOME  
3 ADJOURNMENTS.

4

5 **SUP. KNABE:** YES, MADAM CHAIR, THANK YOU, I HAVE A COUPLE OF  
6 ADJOURNMENTS. FIRST OF ALL THAT WE ADJOURN IN THE MEMORY OF  
7 MOLLY GAYLOR, A FORMER CALLIGRAPHER HERE IN THE C.A.O.'S  
8 OFFICE WHO PASSED AWAY RECENTLY AFTER A VERY, VERY LONG BATTLE  
9 WITH CANCER. SHE WORKED FOR THE COUNTY OF LOS ANGELES FOR  
10 ALMOST 20 YEARS. MOLLY WAS ORIGINALLY FROM ENGLAND AND WORKED  
11 AS A REGISTERED NURSE AND A MIDWIFE BY TRADE BEFORE COMING TO  
12 THE UNITED STATES, WHERE SHE WORKED AT SANTA MONICA HOSPITAL  
13 AND SERVED AS PRESIDENT AND TREASURER OF THE SOCIETY FOR  
14 CALLIGRAPHY. SHE STUDIED ABROAD IN GERMANY AND ENGLAND, AND  
15 CONSULTED ON DISCOVERIES INTERNATIONAL CONFERENCE IN SAN  
16 DIEGO. SHE ALSO PARTICIPATED IN THE CITY OF LOS ANGELES'  
17 COMMUNITY OF ANGELS PROJECT. HER CALLIGRAPHY WAS OFTEN  
18 REQUESTED BY THE BOARD OF SUPERVISORS FOR THE ELEGANCE SHE  
19 BROUGHT TO IT. AND HER LEAVES AND FLOWERS WERE SCANNED INTO  
20 THE COMPUTER AND STILL TO THIS DAY USED BY THE C.E.O.'S  
21 GRAPHIC ARTS DEPARTMENT. SHE IS SURVIVED BY HER DAUGHTER,  
22 AMBER, AND WILL BE DEEPLY MISSED BY ALL OF US THAT KNEW HER.  
23 BUT THANKFULLY HER ARTWORK WILL CARRY ON HER LEGACY. ALSO THAT  
24 WE ADJOURN IN THE MEMORY OF RUTH ROLL SALTMAN, WHO PASSED AWAY  
25 RECENTLY. SHE WAS LONG-TIME MEMBER OF DOWNEY, THE CITY OF



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1 DOWNEY. SHE AND HER HUSBAND, MORT, MOVED THERE IN 1950. THEY  
2 WERE VERY INVOLVED IN CIVIC AFFAIRS AND THEIR SYNAGOGUE IN  
3 1964. RUTH WORKED FOR THE CITY OF DOWNEY AND BECAME SECRETARY  
4 TO THE MAYOR AND CITY COUNCIL. SHE RETIRED AT THE YOUNG AGE OF  
5 80 AND MOVED TO NEW YORK. SHE WILL BE REMEMBERED FOR HER  
6 CHARM, WIT, SENSE OF HUMOR, AND HER UNIQUE ABILITY TO CONNECT  
7 WITH PEOPLE. SHE WILL BE MISSED BY HER FAMILY AND FRIENDS. SHE  
8 IS SURVIVED BY HER SONS, ROGER AND SCOTT; DAUGHTER-IN-LAW,  
9 ANN; FOUR GRANDCHILDREN AND A NIECE. AND THOSE ARE MY  
10 ADJOURNMENTS. THANK YOU, MADAM CHAIR.

11

12 **SUP. BURKE, CHAIR:** SO ORDERED. DO YOU HAVE ANY ITEMS YOU WANT  
13 TO CALL UP? ALL RIGHT. SUPERVISOR MOLINA, YOU'RE UP FIRST.  
14 YOUR ADJOURNMENTS AND THEN --

15

16 **SUP. MOLINA:** OKAY. WELL, LET ME DO MY ADJOURNMENTS, FIRST OF  
17 ALL. I ASK THAT WE ADJOURN IN THE MEMORY OF TODAY OF AL  
18 MARTINEZ. HE'S A LONG TIME AND DEVOTED VOLUNTEER AT THE  
19 INDUSTRY SHERIFF'S STATION. MR. MARTINEZ, ALONG WITH HIS WIFE,  
20 DONATED NUMEROUS HOURS AT THE STATION AND TOUCHED COUNTLESS  
21 LIVES OVER THE YEARS. WE WANT TO EXTEND OUR DEEPEST  
22 CONDOLENCES TO HIS FAMILY, FRIENDS, AS WELL AS HIS LOVED ONES.  
23 THAT IS MY ONLY ADJOURNMENT.

24

25 **SUP. BURKE, CHAIR:** SO ORDERED.



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1

2 **SUP. KNABE:** I'D LIKE TO JOIN IN THAT AS WELL.

3

4 **SUP. BURKE, CHAIR:** ALL MEMBERS. DO YOU WANT TO CALL UP YOUR  
5 ITEMS?

6

7 **SUP. MOLINA:** YES. MADAM CHAIR, I WOULD LIKE TO CALL UP ITEM  
8 NUMBER 8 -- I'M SORRY. NOT NUMBER 8. IT'S ON PROPOSITION 8,  
9 WHICH IS 66-B.

10

11 **SUP. BURKE, CHAIR:** 66-B.

12

13 **SUP. MOLINA:** 66-B. EXCUSE ME. I AM PRESENTING THIS MOTION  
14 JOINTLY WITH SUPERVISOR YAROSLAVSKY TO FILE OR TO JOIN IN AN  
15 EXISTING LAWSUIT BY CHALLENGING THE CONSTITUTIONALITY OF  
16 PROPOSITION 8. IT'S IMPORTANT FOR US TO TAKE A STAND TO UPHOLD  
17 EQUAL RIGHTS OF ALL OF OUR CALIFORNIA RESIDENTS. LAST WEEK,  
18 PROPOSITION 8 PASSED WITH A NARROW MARGIN OF 5%. IT ELIMINATED  
19 THE RIGHT OF SAME SEX COUPLES TO MARRY, AND IT EFFECTIVELY  
20 OVERTURNED THE MAY 2008 CALIFORNIA SUPREME COURT DECISION  
21 WHICH FOUND THE BAN ON SAME-SEX MARRIAGES TO BE  
22 UNCONSTITUTIONAL ON EQUAL PROTECTION GROUNDS. NOW, THERE ARE  
23 THREE SEPARATE LAWSUITS, AS I UNDERSTAND, IN COURT CHALLENGING  
24 PROP 8. THEIR ARGUMENT IS TWO-FOLD. FIRST OF ALL, THAT  
25 REVOKING THE EXISTING RIGHT GUARANTEED BY THE EQUAL PROTECTION





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1 CLAUSE OF OUR STATE CONSTITUTION IS NOT AN AMENDMENT, IT IS,  
2 IN FACT, A REVISION. SECONDLY, THERE'S ANOTHER ONE THAT SUCH A  
3 MOVE IS NOT A FUNDAMENTAL RIGHT THAT COULD BE SUBJECT TO A  
4 POPULAR VOTE. IT IS A DELIBERATIVE PROCESS THAT REQUIRES AT A  
5 MINIMUM A CONSTITUTIONAL CONVENTION OR A TWO-THIRDS VOTE OF  
6 THE LEGISLATURE PLUS A POPULAR VOTE. AND SO I'M IN AGREEMENT  
7 AND SO ARE SOME OF MY COLLEAGUES. SOME OF US MAY ASK WHY THE  
8 COUNTY SUPERVISORS WOULD BE INVOLVED AND GET SO INVOLVED  
9 DIRECTLY IN THIS ISSUE. FIRST OF ALL, AS A COUNTY, WE'RE  
10 DIRECTLY RESPONSIBLE FOR THE ISSUANCE OF MARRIAGE LICENSES.  
11 SECONDLY, WE ARE ELECTED OFFICIALS WHO ARE SWORN TO UPHOLD THE  
12 CONSTITUTION OF THIS STATE. BUT THIRD AND MOST IMPORTANTLY, WE  
13 FACE A DILEMMA OF BALANCING THE ENFORCEMENT OF PROP 8 WITH  
14 UPHOLDING THE FUNDAMENTAL EQUAL PROTECTION RIGHTS OF ALL OF  
15 OUR CITIZENS. SIMPLY, WE NEED TO BRING CLARITY TO THIS ISSUE  
16 AND WE BELIEVE IN JOINING THESE LAWSUITS AS A MOST PROMPT AND  
17 EFFECTIVE WAY TO ACHIEVE THAT GOAL. AND, OF COURSE, SEPARATE  
18 FROM THE LEGAL LEVEL ON A VERY HUMAN AND A PERSONAL LEVEL, I  
19 FEEL COMPELLED TO SAY THAT PROP 8'S PASSAGE SADDENED AND  
20 ANGERED ME ON VARIOUS LEVELS. SO I AM HERE AS ONE OF THE  
21 SPONSORS ASKING THAT THE COUNTY JOIN IN THIS LAWSUIT ALONG  
22 WITH MY COLLEAGUE, ZEV YAROSLAVSKY. I DON'T KNOW IF YOU'D LIKE  
23 TO SAY SOME OPENING REMARKS BEFORE WE TURN IT OVER TO OUR  
24 LAWYERS.

25



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1    **SUP. YAROSLAVSKY:** HOW MANY PEOPLE DO WE HAVE WHO WISH TO BE  
2    HEARD ON THIS ITEM?

3

4    **SUP. MOLINA:** WE HAVE ABOUT 10 THAT ARE FORMAL.

5

6    **CLERK SACHI HAMAI:** APPROXIMATELY 17.

7

8    **SUP. YAROSLAVSKY:** DOES THAT INCLUDE THE PEOPLE WHO ARE  
9    ORGANIZED TO SPEAK?

10

11    **SUP. MOLINA:** YES.

12

13    **SUP. YAROSLAVSKY:** AND ARE THERE SOME IN FAVOR AND SOME IN  
14    OPPOSITION?

15

16    **CLERK SACHI HAMAI:** ALL IN FAVOR.

17

18    **SUP. YAROSLAVSKY:** IN FAVOR OF THE MOTION TO CHALLENGE IT?

19

20    **CLERK SACHI HAMAI:** YES.

21

22    **SUP. YAROSLAVSKY:** CAN I MAKE A SUGGESTION TO THE PEOPLE WHO  
23    ARE HERE? I DO WANT TO MAKE A COMMENT ABOUT THIS, BUT I WANT  
24    TO JUST MAKE A SUGGESTION IN THE MEANTIME, IS THAT THE PEOPLE  
25    WHO ARE HERE TO TESTIFY IN SUPPORT OF THE MOTION, THAT YOU TRY



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1 TO CONSOLIDATE YOUR TESTIMONY. WE HAVE -- WE'RE GOING TO LOSE  
2 A QUORUM TODAY AND WE WANT TO GET THIS DONE IN A TIMELY  
3 FASHION. SO IF THERE'S A WAY THAT EVERYBODY CAN YIELD THEIR  
4 TIME TO ONE OR TWO OR THREE PEOPLE, AND THEN WE CAN RECOGNIZE  
5 THE OTHERS WHO ARE HERE. I THINK IT WOULD BE A GOOD IDEA.  
6 OTHERWISE, WE COULD LOSE OUR QUORUM. I DO WANT TO JUST SAY,  
7 MADAM CHAIR, I INTRODUCED THIS MOTION ALONG WITH SUPERVISOR  
8 MOLINA BECAUSE THERE ARE LEGAL ISSUES, BOTH TECHNICAL AND MORE  
9 GENERIC ABOUT THE CONSTITUTIONALITY OF THE MEASURE, AND I HAVE  
10 RECEIVED -- FIRST OF ALL, I'M CONCERNED ABOUT IT. I'M  
11 CONCERNED ABOUT THE CONSTITUTIONALITY OF THIS AND THE  
12 IMPLICATIONS IT HAS DOWN THE LINE. AND I THINK IT'S AN ISSUE  
13 THAT NEEDS TO BE RESOLVED ULTIMATELY BY OUR STATE SUPREME  
14 COURT AND PERHAPS OTHER COURTS. BUT AT THE END OF THE DAY,  
15 I'VE RECEIVED, SINCE THIS MOTION WAS POSTED THE OTHER DAY,  
16 QUITE A BIT OF EMAIL TRAFFIC FROM BOTH SIDES OF THIS ISSUE.  
17 AND PEOPLE SAID THE PEOPLE'S VOTE SHOULD BE UPHELD, AND I  
18 THINK THE PEOPLE'S VOTE WILL BE UPHELD, PROVIDED THE COURTS  
19 RULE THAT IT'S CONSTITUTIONAL, AND THAT'S THE ISSUE BEFORE US.  
20 AND IT WAS A CLOSE CALL AT THE COURT AND IT'S A CLOSE CALL  
21 WITH THE VOTERS. IT WAS NOT A CLOSE CALL IN MY SUPERVISORIAL  
22 DISTRICT, WHERE PEOPLE VOTED AGAINST THIS MEASURE BY A VOTE OF  
23 2-TO-1. 65% VOTED AGAINST IT AND 35% VOTED FOR IT. I KNOW  
24 THAT'S NOT THE CASE STATEWIDE OR EVEN COUNTYWIDE, BUT THIS IS  
25 NOT A POPULARITY CONTEST AT THE END OF THE DAY, IT'S A LEGAL



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1 QUESTION. I WAS NOT ALWAYS OF THIS OPINION. HISTORICALLY, I  
2 BELIEVED IN CIVIL UNIONS AND THAT THAT WOULD ACCOMPLISH WHAT  
3 NEEDED TO BE ACCOMPLISH IN TERMS OF EQUAL RIGHTS, BUT AT THE  
4 END OF THE DAY, I WAS PERSUADED OVER THE YEARS BY PEOPLE WHO I  
5 WORK WITH, PEOPLE WHO WORK FOR ME IN THE GENERAL SENSE FOR THE  
6 CITY OF LOS ANGELES, PEOPLE WHO WORK FOR ME IN THE COUNTY OF  
7 LOS ANGELES, MY OWN KIDS, THAT THIS WAS NOT AN ISSUE THAT  
8 COULD JUST BE IGNORED AND SWEEPED UNDER THE RETURNING THAT THIS  
9 WAS AN ISSUE THAT DOESN'T BOTHER ME, SHOULDN'T BOTHER ME, IT  
10 SHOULDN'T BOTHER THEM, IT ONLY AFFECTS THOSE PEOPLE WHO WANT  
11 TO HAVE THE FULL BLESSINGS OF CIVIL LAW IN THEIR LIFETIME  
12 COMMITMENT TO ONE ANOTHER, AND THAT'S WHAT THIS MEASURE WAS  
13 ALL ABOUT. UNFORTUNATELY THE CAMPAIGN WAS A CAMPAIGN, THAT'S  
14 WHAT CAMPAIGNS ARE. THERE'S A LOT OF STUFF THAT IS SAID THAT  
15 IS NOT TRUE AND NOT ACCURATE, BUT IN THE END OF THE DAY, THIS  
16 WAS AN ISSUE ABOUT WHETHER TWO PEOPLE WHO CHOOSE TO COMMIT  
17 THEMSELVES TO EACH OTHER FOR A LIFETIME SHOULD HAVE THE FULL  
18 BLESSINGS OF CALIFORNIA LAW. NOT RELIGIOUS LAW, NOT FORCING A  
19 CHURCH OR A SYNAGOGUE OR ANY RELIGION TO ACCEPT THIS, BUT  
20 UNDER CIVIL LAW THAT THEY WOULD HAVE THE FULL COMPLEMENT OF  
21 RIGHTS. AND FRANKLY I THINK MORE AND MORE PEOPLE, THE LAST  
22 TIME THIS WAS ON THE BALLOT, IT WASN'T THIS CLOSE. THIS TIME  
23 IT WAS QUITE CLOSE. AND I THINK THE MORE PEOPLE UNDERSTAND  
24 THIS, THE MORE THEY'LL COME TO UNDERSTAND THAT THIS IS NOT  
25 SOMETHING THAT AFFECTS THEM UNLESS THEY WANT IT TO AFFECT



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1 THEM. THAT'S WHY I INTRODUCED THIS MOTION. I THINK THE LEGAL  
2 ISSUES NEED TO BE ADDRESSED, NEED TO BE RESOLVED ONE WAY OR  
3 THE OTHER, AND THAT'S ALL I'LL HAVE TO SAY ABOUT IT.

4

5 **SUP. MOLINA:** ZEV, DID YOU WANT COUNTY COUNSEL TO COMMENT  
6 BEFORE OR AFTER?

7

8 **SUP. YAROSLAVSKY:** I THINK BEFORE WOULD BE A GOOD IDEA.

9

10 **SUP. MOLINA:** ALL RIGHT. I'M GOING TO ASK, BECAUSE THEY'RE  
11 STANDING THERE, WE HAVE A COUPLE OF PANELS. I'M GOING TO ASK  
12 THE SAN FRANCISCO CITY ATTORNEY, DENNIS HERRERA, TO PLEASE  
13 JOIN US. HE FLEW IN FOR THIS, AS WELL AS OUR OWN LOS ANGELES  
14 CITY ATTORNEY, ROCKY DELGADILLO. IF THEY'D COME JOIN US AT THE  
15 CENTER TABLE, WE'RE GOING TO CALL ON OUR COUNTY COUNSEL TO  
16 FIRST SPEAK TO THIS ITEM.

17

18 **SUP. YAROSLAVSKY:** YOU KNOW WHAT? THE CHAIR SUGGESTED THAT WE  
19 WAIT UNTIL THE END FOR THE COUNTY COUNSEL, THAT'S FINE WITH  
20 ME.

21

22 **SUP. MOLINA:** ALL RIGHT. THAT'S FAIR ENOUGH. ALL RIGHT. PLEASE  
23 TAKE A SEAT. THANK YOU FOR JOINING US THIS MORNING.

24

25 **SUP. BURKE, CHAIR:** PLEASE STATE YOUR NAME.



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1

2 **DENNIS HERRERA:** DENNIS HERRERA, CITY ATTORNEY OF SAN  
3 FRANCISCO. BOARD CHAIR BURKE, MEMBERS OF THE BOARD OF  
4 SUPERVISORS, AND MY FELLOW CALIFORNIANS, I WANT TO THANK YOU  
5 FOR ALLOWING ME TO TAKE JUST A FEW MINUTES OF YOUR TIME TO  
6 DISCUSS LITIGATION THAT IS SO FAR SUPPORTED BY THE CITY AND  
7 COUNTY OF SAN FRANCISCO, THE CITY OF LOS ANGELES, AND SANTA  
8 CLARA COUNTY. THE LEGAL ACTION WE'VE UNDERTAKEN SEEKS TO  
9 INVALIDATE PROPOSITION 8, THE NARROWLY APPROVED CONSTITUTIONAL  
10 AMENDMENT THAT WOULD ROB THE FUNDAMENTAL RIGHT OF CIVIL  
11 MARRIAGE FROM GAY AND LESBIAN CITIZENS. LAST YEAR, I WAS PROUD  
12 TO STAND ALONGSIDE A WHOLE HOST OF JURISDICTIONS IN OUR  
13 SUCCESSFUL CHANGE TO DISCRIMINATORY MARRIAGE EXCLUSION. IN  
14 THAT EFFORT, WE UNITED 22 CALIFORNIA CITIES AND COUNTIES,  
15 INCLUDING SEVEN OF OUR EIGHT LARGEST CITIES. THE LITIGATION  
16 YOU ARE CONSIDERING TODAY, HOWEVER, IS NO MERE REMATCH. TO BE  
17 CANDID, THE ISSUE BEFORE THE SUPREME COURT IN THIS CASE IS OF  
18 FAR GREATER CONSEQUENCE THAN MARRIAGE EQUALITY ALONE. NO  
19 MATTER WHAT YOUR VIEW OF SAME-SEX MARRIAGE, IN FACT THE  
20 PASSAGE OF PROPOSITION 8 HAS PUSHED CALIFORNIA TO THE BRINK OF  
21 A CONSTITUTIONAL CRISIS, AND IT'S IMPORTANT TO UNDERSTAND WHY.  
22 THIS MEASURE SOUGHT TO DO SOMETHING THAT NO CONSTITUTIONAL  
23 AMENDMENT HAS EVER DONE IN OUR HISTORY, TO STRIP A FUNDAMENTAL  
24 RIGHT FROM A PROTECTED CLASS OF CITIZENS. IN DOING SO, IT DID  
25 NOT MERELY UNDO A NARROWLY DISFAVORED SUPREME COURT DECISION.





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1 ITS EFFECT IS NOWHERE NEAR SO SIMPLE OR ELEGANT. RATHER, IT  
2 UPENDED A DOCTRINE OF SEPARATION OF POWERS DEEPLY ROOTED IN  
3 OUR SYSTEM OF GOVERNANCE. IT TROUNCED UPON THE INDEPENDENCE OF  
4 OUR STATE'S JUDICIARY, AND IT EVISCERATED THE MOST  
5 FOUNDATIONAL PRINCIPLE OF OUR STATE'S CONSTITUTION. IF ALLOWED  
6 TO STAND, PROPOSITION 8 WOULD SO DEVASTATE THE PRINCIPLE OF  
7 EQUAL PROTECTION THAT IT COULD ENDANGER THE FUNDAMENTAL RIGHTS  
8 OF ANY POTENTIAL ELECTORAL MINORITY, EVEN FOR PROTECTED  
9 CLASSES BASED ON RACE, RELIGION, NATIONAL ORIGIN, AND GENDER.  
10 IT WOULD MEAN THAT A BARE MAJORITY OF VOTERS COULD ENSHRINE  
11 ANY MANNER OF DISCRIMINATION AGAINST ANY UNPOPULAR GROUP AND  
12 OUR STATE CONSTITUTION WOULD BE POWERLESS TO DISALLOW IT. LET  
13 US BE CLEAR. EQUAL PROTECTION OF THE LAWS IS WHAT SEPARATES  
14 CONSTITUTIONAL DEMOCRACY FROM MOB RULE TYRANNY. IT IS A  
15 PRINCIPLE REACHING BACK EIGHT CENTURIES TO THE MAGNA CARTA.  
16 AND IT IS WHAT GUIDES THE FOUNDING OF OUR STATE AND OUR UNION.  
17 I COULD STATE MY CASE NO BETTER THAN TO QUOTE A CASE CITED BY  
18 THE CALIFORNIA SUPREME COURT IN ITS OWN DECISION LAST MAY. THE  
19 VERY PURPOSE OF A BILL OF RIGHTS WAS TO WITHDRAW CERTAIN  
20 SUBJECTS FROM THE VICISSITUDES OF POLITICAL CONTROVERSY, TO  
21 PLACE THEM BEYOND THE REACH OF MAJORITIES AND OFFICIALS, AND  
22 TO ESTABLISH THEM AS LEGAL PRINCIPLES TO BE APPLIED BY THE  
23 COURTS. ONE'S RIGHT TO LIFE, LIBERTY AND PROPERTY, TO FREE  
24 SPEECH, A FREE PRESS, FREEDOM OF WORSHIP AND ASSEMBLY AND  
25 OTHER FUNDAMENTAL RIGHTS MAY NOT BE SUBMITTED TO VOTE. THEY



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1   DEPEND ON THE OUTCOME OF NO ELECTION. THIS CASE IS NO LONGER  
2   ABOUT SAME-SEX MARRIAGE. IT IS ABOUT EQUAL PROTECTION OF THE  
3   LAWS. NO PREJUDICE, NO POLITICAL CONTROVERSY, NO FEAR OF  
4   PROGRESS OR CHANGE, NO MATTER HOW WORRISOME OR HEARTFELT, IS  
5   WORTH ENDANGERING THAT. SHOULD WE CARVE INTO EQUAL PROTECTION  
6   AN EXCEPTION FOR ONE'S BIGOTRY, WE EMPOWER ALL BIGOTRY. I AM  
7   VERY GRATEFUL TO SUPERVISORS YAROSLAVSKY AND MOLINA FOR  
8   RECOGNIZING THE SERIOUSNESS OF THIS ISSUE AND FOR OFFERING THE  
9   MOTION BEFORE YOU. I URGE YOU IN THE STRONGEST AND MOST  
10   UNIFYING TERMS POSSIBLE TO SUPPORT IT, AND I'D BE HAPPY TO  
11   TAKE ANY QUESTIONS THAT YOU HAVE. THANK YOU.

12

13   **SUP. BURKE, CHAIR:** PLEASE STATE YOUR NAME.

14

15   **ROCKY DELGADILLO:** SURE. ROCKY DELGADILLO, LOS ANGELES CITY  
16   ATTORNEY. MADAM CHAIR AND HONORABLE SUPERVISORS, LET ME JUST  
17   TAKE ONE MOMENT PERSONAL PRIVILEGE TO SAY AND CONGRATULATE  
18   SUPERVISOR BURKE ON A CAREER OF SERVICE. THIS MAY BE THE LAST  
19   TIME I'LL GET A CHANCE TO PRESENT BEFORE YOU. I WANT TO SAY  
20   YOU'RE AN INSPIRATION. YOU'VE DEMONSTRATED TO PEOPLE LIKE ME  
21   AND DENNIS THAT WE CAN BREAK THE GLASS CEILING AND WE CAN DO  
22   THAT WITH ELOQUENCE AND GRACE, SO THANK YOU. BEFORE I BEGIN, I  
23   WANT TO POINT OUT THAT THE MATTER BEFORE YOU TODAY IS NOT  
24   ABOUT LOVE, NOR IS IT ABOUT RELIGION. IN FACT, I KNOW OF NO  
25   GOVERNMENT POWERFUL ENOUGH TO TAKE AWAY OR DIMINISH ONE'S LOVE



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1 OR ONE'S FAITH. THE MATTER BEFORE YOU TODAY IS ABOUT TRUTH,  
2 THE SELF-EVIDENT KIND, THAT ALL HUMAN BEINGS ARE CREATED EQUAL  
3 AND THAT EQUAL PROTECTION UNDER THE LAW REMAINS A BEDROCK  
4 PRINCIPLE OF OUR CONSTITUTIONAL DEMOCRACY. IN THIS NATION AND  
5 THIS STATE, WE AMEND OUR CONSTITUTION TO EXTEND RIGHTS, NOT  
6 STRIP THEM AWAY. PROPOSITION 8 FLIES IN THE FACE OF THE  
7 PRINCIPLE OF EQUAL PROTECTION AND STRIPS AWAY FUNDAMENTAL  
8 RIGHTS FROM COUNTLESS CALIFORNIANS. AS A CALIFORNIAN, AS AN  
9 ATTORNEY, AND MOST IMPORTANTLY AS A PUBLIC SERVANT, I REFUSE  
10 TO STAND BY WHILE THE RIGHTS OF MY CONSTITUENTS AND NEIGHBORS  
11 ARE THREATENED BY THIS CONSTITUTIONAL AMENDMENT. THAT IS WHY,  
12 AS CITY ATTORNEY OF LOS ANGELES, I JOIN THE LAWSUIT BEFORE THE  
13 SUPREME COURT WITH MY COUNTERPARTS IN SAN FRANCISCO, DENNIS  
14 HERRERA, AND SANTA CLARA COUNTIES. OUR LEGAL ARGUMENT IS  
15 SIMPLE: THE EQUAL PROTECTION PROVISIONS OF THE CALIFORNIA  
16 CONSTITUTION DO NOT ALLOW A SIMPLE MAJORITY OF VOTERS TO USE  
17 THE AMENDMENT PROCESS TO STRIP AWAY RIGHTS FROM MINORITY  
18 GROUPS. SUCH A SWEEPING REDEFINITION OF EQUAL PROTECTION WOULD  
19 REQUIRE A CONSTITUTIONAL REVISION RATHER THAN A MERE  
20 AMENDMENT. ARTICLE 18 OF THE CALIFORNIA CONSTITUTION PROVIDES  
21 THAT A CONSTITUTIONAL REVISION MAY ONLY BE ACCOMPLISHED BY A  
22 CONSTITUTIONAL CONVENTION AND POPULAR RATIFICATION, OR BY  
23 LEGISLATIVE SUBMISSION TO THE ELECTORATE, NOT BY A SIMPLE  
24 BALLOT INITIATIVE. BECAUSE YOUR BOARD REPRESENTS THE  
25 GOVERNMENT AGENCY RESPONSIBLE FOR ISSUING MARRIAGE LICENSES,



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1 YOU NOW BEAR THE RESPONSIBILITY OF BALANCING THE DUTY TO  
2 IMPLEMENT PROPOSITION 8 WITH YOUR DUTY TO PROTECT THE EQUAL  
3 RIGHTS OF THE RESIDENTS OF LOS ANGELES COUNTY. BY ADOPTING THE  
4 MOTION OFFERED BY SUPERVISORS MOLINA AND YAROSLAVSKY, YOU HAVE  
5 THE OPPORTUNITY TO USE YOUR INFLUENCE AS THE LARGEST COUNTY IN  
6 THE STATE OF CALIFORNIA AND IN AMERICA TO SEND A CLEAR MESSAGE  
7 TODAY ABOUT THE IMPORTANCE OF EQUAL RIGHTS FOR ALL OF OUR  
8 RESIDENTS AND THE DANGERS OF DISCRIMINATING AGAINST ANY ONE OF  
9 THEM. LOOK, OUR JUSTICE SYSTEM WITH ALL OF ITS IMPERFECTIONS,  
10 IS UNEQUALED. AS THE FOUNDATION OF OUR DEMOCRACY, IT EXISTS TO  
11 PROTECT THOSE IN THE MINORITY AGAINST THE WHIMS OF THE  
12 MAJORITY. IT EXISTS TO PROTECT RIGHTS, FUNDAMENTAL RIGHTS,  
13 LIKE THE RIGHT TO VOTE, THE RIGHT TO EXERCISE YOUR FAITH, THE  
14 RIGHT TO DUE PROCESS AND THE RIGHT TO MARRY THE ONE YOU LOVE.  
15 AT THIS MOMENT, I URGE YOU TO STAND WITH ME AND OTHERS ACROSS  
16 THE STATE AND THE NATION, WHO ARE FIGHTING TO PROTECT THOSE  
17 RIGHTS IN THE VERY INTERESTS OF JUSTICE. THANK YOU.

18  
19 **SUP. MOLINA:** THANK YOU VERY MUCH. I DON'T KNOW IF WE HAVE ANY  
20 QUESTIONS AT ALL. THANK YOU SO MUCH. I APPRECIATE YOU COMING  
21 OVER, PARTICULARLY FLYING IN. THANK YOU SO MUCH.

22  
23 **DENNIS HERRERA:** MY PLEASURE. THANK YOU.



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1   **SUP. MOLINA:** NEXT, WE'RE GOING TO CALL THEM IN GROUPS OF  
2   PANELS. THE NEXT PANEL IS ZELDA KENNEDY, WHO IS THE SENIOR  
3   ASSOCIATE FOR PASTORAL CARE AND SPIRITUAL GROWTH AT ALL SAINTS  
4   CHURCH IN PASADENA, JUNE LAGMAY AND RITA ROMERA, WHO ARE A  
5   MARRIED COUPLE, AND SUSAN RUSSELL, WHO IS A SENIOR ASSOCIATE  
6   FOR PARISH LIFE AT ALL SAINTS CHURCH AS WELL IN PASADENA. IF  
7   THEY'D JOIN US.

8

9   **SUP. BURKE, CHAIR:** WELCOME. PLEASE STATE YOUR NAME. WE'RE  
10   GOING TO -- WE WANT TO GET EVERYONE HEARD, SO WE'RE GOING TO  
11   ASK THAT YOU LIMIT YOUR TIME TO TWO MINUTES.

12

13   **ZELDA KENNEDY:** MY NAME IS ZELDA KENNEDY. AS YOU INDICATED, I'M  
14   THE SENIOR ASSOCIATE FOR PASTORAL CARE AND SPIRITUAL GROWTH AT  
15   ALL SAINTS IN PASADENA. AND I WANT TO THANK YOU CHAIR BURKE  
16   AND THE BOARD FOR ALLOWING ME TO HAVE THIS OPPORTUNITY TO COME  
17   BEFORE YOU TO SPEAK AND TO IMPLORE YOU TO JOIN THE LITIGATION  
18   AGAINST PROP 8. I AM A STRAIGHT BLACK FEMALE. AND, AS SUCH, I  
19   KNOW WHAT IT'S LIKE TO BE DISCRIMINATED AGAINST. THIS IS AN  
20   ISSUE OF DISCRIMINATION. AND I'M ASKING YOU TO UNDERSTAND THAT  
21   AND SEE IT THAT WAY. I KNOW THAT MANY PEOPLE FEEL WHY IS THIS  
22   A BLACK ISSUE? IT IS CERTAINLY A BLACK ISSUE. IT'S A BLACK  
23   ISSUE, IT'S A WHITE ISSUE, IT'S AN EVERY ISSUE. IF WE  
24   DISCRIMINATE AGAINST ANY GROUP OF PEOPLE, WE DISCRIMINATE  
25   AGAINST OURSELVES, BECAUSE WE'RE ALL IN THIS TOGETHER. AND I



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1 WOULD LIKE FOR YOU TO UNDERSTAND AND HOPE THAT YOU WILL  
2 CERTAINLY GO AGAINST OR JOIN THE LITIGATION AGAINST PROP 8.

3

4 **JUNE LAGMAY:** HONORABLE MEMBERS OF THE BOARD OF SUPERVISORS.  
5 THANK YOU FOR THE PRIVILEGE OF ADDRESSING YOU TO DAY. MY NAME  
6 IS JUNE LAGMAY AND THIS IS MY SPOUSE, RITA ROMERO. WE HAVE  
7 BEEN TOGETHER SOME 40 YEARS, BUILDING A LIFE TOGETHER, CARING  
8 FOR EACH OTHER'S FAMILIES, AND WE WERE MARRIED JUST LAST  
9 MONTH, A TESTAMENT TO THE ADAGE, STRAIGHT PEOPLE GET MARRIED  
10 HOPING TO GROW OLD TOGETHER. GAY PEOPLE GROW OLD TOGETHER  
11 HOPING TO GET MARRIED. WE WERE DELIGHTED TO AVAIL OURSELVES OF  
12 THE CALIFORNIA SUPREME COURT'S DECREE THAT THE CIVIL CONTRACT  
13 OF MARRIAGE COULD NOT BE WITHHELD FROM US. AND WE WERE  
14 DELIGHTED WE COULD MARRY IN OUR OWN LOS ANGELES WHERE WE HAVE  
15 LIVED AND WORKED ALL OUR LIVES. YET THE INK IS BARELY DRY ON  
16 OUR MARRIAGE CERTIFICATE, WHEN NOW PROP 8 THREATENS OUR LIVES  
17 AND CLOSES THE DOOR FOR FUTURE COUPLES. SPECIFICALLY IN LOS  
18 ANGELES COUNTY, THE VOTE ON PROP 8 WAS EXCRUCIATINGLY NARROW.  
19 50.5% VERSUS 49.5%. WE ARE NOT TALKING ABOUT THE FAILURE OF  
20 SOME TAX MEASURE OR DEVELOPMENT PROJECT. WE ARE TALKING ABOUT  
21 1,370,000 PEOPLE IN LOS ANGELES COUNTY WHO SPOKE UP IN DEFENSE  
22 OF HUMAN LIVES, FOR PEOPLE'S RIGHTS TO EXIST. I MAY NOT HAVE  
23 THE RIGHT TO MARRY WITHIN MY CHURCH, BUT THAT'S ALL RIGHT.  
24 IT'S NOT GOVERNMENT'S JOB TO CHANGE MY CHURCH'S POSITION.  
25 HOWEVER, IT IS MY GOVERNMENT'S JOB TO GUARANTEE THAT WHETHER





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1 OR NOT THE RELIGIOUS VENUE IS CLOSED TO ME, THAT AS LONG AS I  
2 FILL OUT THE PAPERWORK AND PAY MY CHECK, I CAN GET A MARRIAGE  
3 LICENSE LIKE ANYONE ELSE. WOULD THE STATE DENY ME A DRIVER'S  
4 LICENSE BASED ON MY GENDER OR MY ETHNICITY AND NOT ON WHETHER  
5 OR NOT I CAN OPERATE A MOVING VEHICLE? I DON'T WANT ANYTHING  
6 MORE THAN MY FELLOW CALIFORNIANS, BUT I DON'T SEE WHY I SHOULD  
7 GET LESS. THE REPRESENTATIVE GOVERNMENT AND THE JUDICIAL  
8 BRANCH ARE RESPONSIBLE TO PROTECT ME AGAINST MOB RULE. THEY  
9 ARE RESPONSIBLE TO PRESERVE THE RIGHTS OF ALL ITS CITIZENS  
10 REGARDLESS OF PUBLIC OPINION, AND SOMETIMES IN OPPOSITION TO  
11 PUBLIC OPINION, AND EVEN SOMETIMES AGAINST YOUR OWN PERSONAL  
12 BELIEFS. BECAUSE AS ELECTED OFFICIALS, IT IS YOUR SACRED  
13 RESPONSIBILITY TO DEFEND A MINORITY GROUP FROM ADVERSE  
14 TREATMENT. AND THAT IS WHAT I AM ASKING YOU TODAY, TO STAND  
15 WITH US, YOUR CITIZENS WHO HAVE BEEN WRONGED AND WORK WITH US  
16 TO MAKE US WHOLE.

17

18 **RITA ROMERO:** MY NAME IS RITA ROMERO. I'M JUNIE'S SPOUSE. AND  
19 I'LL KEEP THIS REAL QUICK. PLEASE APPROVE THE MOTION BEFORE  
20 YOU TODAY SO THAT LOS ANGELES COUNTY CAN STAND WITH THE CITY  
21 OF LOS ANGELES, THE CITY AND COUNTY OF SAN FRANCISCO, AND  
22 SANTA CLARA COUNTY, AND WITH 43 MEMBERS OF THE CALIFORNIA  
23 STATE LEGISLATURE TO CHALLENGE THE VALIDITY OF PROP 8. I THANK  
24 YOU.

25



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1   **SUP. YAROSLAVSKY:** MADAM CHAIR, I JUST WANT TO ACKNOWLEDGE THAT  
2   JUNE AND RITA WERE MARRIED IN THEIR HOME. I HAD THE HONOR OF  
3   PERFORMING THE MARRIAGE A COUPLE OF MONTHS AGO. AND JUNE WAS  
4   MY CLERK IN THE FINANCE COMMITTEE OF THE CITY COUNCIL FOR MANY  
5   YEARS, AND DID A GREAT, GREAT JOB.

6

7   **SUP. MOLINA:** SHE ALSO WORKED FOR ME.

8

9   **SUP. YAROSLAVSKY:** YOU'VE BEEN IN OFFICE LONGER THAN I'VE BEEN  
10   IN OFFICE. THAT'S AN AWFULLY LONG TIME.

11

12   **SUP. MOLINA:** MISS RUSSELL.

13

14   **SUSAN RUSSELL:** GOOD MORNING. I'M THE REVEREND SUSAN RUSSELL  
15   FROM ALL SAINTS PASADENA. I WAS BORN AT GOOD SAMARITAN  
16   HOSPITAL AND BAPTIZED AT THE OLD CATHEDRAL HERE IN LOS  
17   ANGELES, A LIFELONG EPISCOPALIAN AND ANGELINO. AND I SIT  
18   BEFORE YOU TODAY AS A PRIEST AND PASTOR URGING YOU TO JOIN IN  
19   THIS LITIGATION. IT'S CRITICAL, I BELIEVE, FOR MY SISTER ZELDA  
20   AND I AND OTHERS FROM THE RELIGIOUS COMMUNITY TO COME AND TAKE  
21   TIME TO SPEAK OUT BECAUSE SO MUCH OF THE RHETORIC THAT FUELED  
22   THE FIRES OF DISCRIMINATION IN THIS ELECTION WAS FUELED BY  
23   RELIGIOUS VOICES INSISTING THAT SOMEHOW THEY HAD THE  
24   ENTITLEMENT TO WRITE THEIR THEOLOGY INTO OUR CONSTITUTION. I'M  
25   HERE TO SAY THEY DID NOT, THEY CANNOT, AND WE'RE LOOKING TO



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1 YOU AS OUR SUPERVISORS TO SEE THAT THEY DO NOT PREVAIL. I HAVE  
2 A SON ON ACTIVE DUTY IN THE U.S. ARMY. HE SWORE AT THE END OF  
3 HIS BOOT CAMP TO DEFEND THE CONSTITUTION AGAINST ALL ENEMIES  
4 FOREIGN AND DOMESTIC. HE DOES IT IN A BLACKHAWK HELICOPTER.  
5 BUT TODAY YOU DO IT IN A COUNTY BOARD OF SUPERVISORS, STANDING  
6 UP TO DEFEND THE PRECIOUS GIFT OF OUR CONSTITUTION FROM  
7 RELIGIOUS IDEOLOGUES WHO WOULD TAKE AWAY RELIGIOUS FREEDOM  
8 FROM THOSE OF US WHO WISH TO AND HAVE PRESIDED WITH GREAT JOY  
9 ON BOTH THE CIVIL AND THE SACRED PART OF OUR MARRIAGES. AT ALL  
10 SAINTS PASADENA, WE MARRIED 43 COUPLES FROM JUNE 17TH TO  
11 NOVEMBER 4TH. I'VE BEEN A PRIEST AND PASTOR FOR ALMOST 20  
12 YEARS. I'VE COUNSELED A LOT OF TROUBLED MARRIAGES. I'VE NEVER  
13 HAD A COUPLE IN MY OFFICE TELLING ME THE PROBLEM WITH THEIR  
14 MARRIAGE WAS THE GAY COUPLE DOWN THE STREET. WE NEED TO DO  
15 EVERYTHING WE CAN TO PRESERVE THE SANCTITY OF ALL MARRIAGES IN  
16 OUR RELIGIOUS COMMUNITIES. THAT'S OUR JOB. YOUR JOB IS TO  
17 PROTECT THE CONSTITUTION AND ALL OF YOUR CONSTITUENTS. I URGE  
18 YOU, PLEASE, AS A NATIVE ANGELINO, A PATRIOTIC AMERICAN, AND  
19 THE MOTHER OF A SON IN UNIFORM TO DO THE RIGHT THING, TO JOIN  
20 THIS LEGISLATION AND MAKE LOS ANGELES PROUD. THANK YOU.

21

22 **SUP. BURKE, CHAIR:** THANK YOU VERY MUCH. I'M FROM THE OTHER ALL  
23 SAINTS.

24



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1   **SUP. MOLINA:** THANK YOU SO MUCH. OUR NEXT PANEL IS MADE UP OF  
2   YUNGSUHN PARK, WHO IS A STAFF ATTORNEY, IF THEY'D COME UP AND  
3   JOIN US, WITH THE ASIAN PACIFIC AMERICAN LEGAL CENTER, GLADYS  
4   LIMON, WHO IS A STAFF ATTORNEY AT M.A.L.D.E.F., AND CATHERINE  
5   LHAMON, WHO IS THE A.C.L.U. RACIAL JUSTICE DIRECTOR. MISS  
6   PARK, WHY DON'T YOU START.

7

8   **YUNGSUHN PARK:** GOOD MORNING. MY NAME IS YUNGSUHN PARK, AND I'M  
9   A STAFF ATTORNEY AT THE ASIAN PACIFIC AMERICAN LEGAL CENTER OF  
10   SOUTHERN CALIFORNIA. A.P.A.L.C. IS THE NATION'S LARGEST PUBLIC  
11   INTEREST LAW FIRM, DEVOTED TO FURTHERING THE CIVIL RIGHTS OF  
12   THE ASIAN AND PACIFIC ISLANDER COMMUNITY. BEFORE THE ELECTION,  
13   A.P.A.L.C. TOOK AN ORGANIZATIONAL POSITION AGAINST PROP 8 AND  
14   NOW URGES THE BOARD OF SUPERVISORS TO JOIN THE LEGAL CHALLENGE  
15   TO PROP 8. BECAUSE THE OUTCOME OF THE LEGAL CHALLENGE HAS  
16   TREMENDOUS IMPLICATIONS FOR THE RIGHTS AND INTERESTS OF ALL  
17   HISTORICALLY OPPRESSED GROUPS, INCLUDING BUT NOT LIMITED TO  
18   LESBIAN AND GAY CALIFORNIANS. IF THE TERMS OF PROP 8 ARE  
19   ULTIMATELY ENFORCED, THE BASIC RIGHTS OF ALL MINORITY GROUPS,  
20   INCLUDING IMMIGRANTS AND RACIAL MINORITIES WILL BE IN  
21   JEOPARDY. THE HISTORY OF DISCRIMINATION AGAINST CALIFORNIA  
22   MINORITIES DEMONSTRATES THE CRITICAL IMPORTANCE OF OUR EQUAL  
23   PROTECTION LAWS AND THE JUDICIARY'S ROLE IN PROTECTING  
24   MINORITY GROUPS FROM DISCRIMINATION BY A POLITICAL MAJORITY.  
25   THE ISSUE OF MARRIAGE EQUALITY IS PARTICULARLY SALIENT IN THE



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1 ASIAN-AMERICAN COMMUNITY, WHERE AS RECENTLY AS THE MID-1900S  
2 ANTI-MASSAGINATION LAWS PROHIBITED INTERRACIAL MARRIAGE  
3 BETWEEN ASIANS AND WHITES. THROUGH THE INITIATIVE PROCESS,  
4 CALIFORNIANS HAVE ENACTED DISCRIMINATORY STATUTES SUCH AS THE  
5 ALIEN LAND LAW WHICH PROHIBITED CERTAIN IMMIGRANTS FROM OWNING  
6 AGRICULTURAL LAND. AND PROP 14, AN INITIATIVE IN 1964 TO  
7 OVERTURN A STATE LAW PROHIBITING RACIAL DISCRIMINATION IN  
8 HOUSING WHICH WAS LATER HELD TO BE UNCONSTITUTIONAL UNDER  
9 FEDERAL LAW. THE JUDICIARY HAS PLAYED A KEY ROLE IN FINDING  
10 THAT THESE INITIATIVES WERE UNLAWFUL AND UNCONSTITUTIONAL.  
11 DENYING EQUAL PROTECTION TO ONE GROUP UNDERMINES THE  
12 PRINCIPLES OF EQUAL PROTECTION FOR ALL, BECAUSE IF A BARE  
13 MAJORITY CAN STRIP THE RIGHT TO MARRY FROM A GAY AND LESBIAN  
14 COUPLE THROUGH THE INITIATIVE PROCESS, FUTURE AMENDMENTS  
15 STRIPPING AWAY FUNDAMENTAL RIGHTS FROM OTHER GROUPS BASED ON  
16 RACE, NATIONAL ORIGIN, GENDER, OR RELIGION WOULD BE  
17 INEVITABLE.

18

19 **SUP. BURKE, CHAIR:** THANK YOU VERY MUCH.

20

21 **GLADYS LIMON:** GOOD MORNING. MY NAME IS GLADYS LIMON. I'M A  
22 STAFF ATTORNEY WITH THE MEXICAN AMERICAN LEGAL DEFENSE AND  
23 EDUCATIONAL FUND, AND I THANK YOU FOR YOUR TIME IN ALLOWING ME  
24 TO BE HERE TODAY TO SPEAK ON SUCH AN IMPORTANT ISSUE. FOR THE  
25 PAST 40 YEARS, M.A.L.D.E.F... HAS FOUGHT TO PROTECT AND PROMOTE



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1 THE CIVIL RIGHTS OF LATINOS THROUGHOUT THE COUNTRY. AND I AM  
2 HERE TODAY BECAUSE THIS FIGHT, THE STRUGGLE TO PROTECT THE  
3 FUNDAMENTAL RIGHTS OF SAME SEX COUPLES IS NO DIFFERENT.  
4 PROPOSITION 8 CONTRADICTS THE MOST BASIC PROTECTION GUARANTEED  
5 BY THE CALIFORNIA CONSTITUTION, WHICH IS THE RIGHT TO EQUAL  
6 PROTECTION OF THE LAWS. THE CONSTITUTION'S GUARANTEE OF EQUAL  
7 PROTECTION IS A CENTRAL PRINCIPLE, BUT IT MEANS NOTHING IF A  
8 MERE MAJORITY CAN OVERRIDE IT THROUGH THE INITIATIVE PROCESS.  
9 IT IS THIS USE OF THE LETTER OF THE LAW BY THE MAJORITY TO  
10 SANCTION DISCRIMINATION AGAINST MINORITIES THAT M.A.L.D.E.F..  
11 HAS AND CONTINUES TO CHALLENGE. THAT'S WHY M.A.L.D.E.F.. HAS  
12 BEEN ACTIVELY INVOLVED IN CHALLENGING PROP 8. M.A.L.D.E.F..  
13 FILED AN AMICUS BRIEF SUPPORTING MARRIAGE EQUALITY WHEN IT  
14 CAME BEFORE THE CALIFORNIA SUPREME COURT. WE JOIN IN EFFORTS  
15 TO CHALLENGE THE VALIDITY OF PROPOSITION 8 TO BE ON THE BALLOT  
16 AND M.A.L.D.E.F. SIGNED ON AS ON OPPONENT TO PROPOSITION 8.  
17 FUNDAMENTAL RIGHTS SHOULD BE GOVERNED BY OUR CONSTITUTION, AS  
18 DEFINED BY OUR COURTS AND NOT BY THE POPULAR VOTE.  
19 IMPLICATIONS OF THIS ATTEMPT TO CONSTITUTIONALIZE THE DENIAL  
20 OF EQUAL PROTECTION ARE PROFOUND AND DANGEROUS, BECAUSE THERE  
21 WILL BE NOTHING TO STOP THE USE OF INITIATIVE PROCESS TO  
22 SELECTIVELY DENY A FUNDAMENTAL RIGHT TO ANOTHER UNPOPULAR AND  
23 DISFAVORED GROUP. INDEED, WE'VE SEEN THIS TOO MANY TIMES  
24 BEFORE. AS I'M SURE YOU ALL REMEMBER, IN 1994, PROPOSITION 187  
25 WAS PASSED BY 59% OF CALIFORNIA VOTERS. THAT PROPOSITION,





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1 AMONGST OTHER THINGS, PROHIBITED PUBLIC SCHOOLS FROM PROVIDING  
2 AN EDUCATION TO UNDOCUMENTED CHILDREN. THE IDEA OF  
3 UNDOCUMENTED CHILDREN ATTENDING PUBLIC SCHOOLS WAS NOT POPULAR  
4 WITH THE ELECTORATE SO THEY DECIDED TO BAN THEM FROM DOING SO,  
5 DESPITE THE EQUAL PROTECTION AFFORDED TO THEM BY OUR  
6 CONSTITUTION. AS WITH PROPOSITION 187, PROP 8 MANDATES THAT  
7 LOCAL GOVERNMENTS DISCRIMINATE AGAINST A PARTICULAR MINORITY  
8 GROUP AND DENY THEM A FUNDAMENTAL RIGHT. THE COUNTY CANNOT  
9 STAND BY AND ALLOW A LEGALLY AND MORALLY OBJECTIONABLE POLICY  
10 OF SEPARATE AND UNEQUAL TO TAKE HOLD. SO I URGE YOU TO PASS  
11 THIS MOTION TO CHALLENGE THE VALIDITY OF PROPOSITION 8 AND  
12 UPHOLD THE EQUAL RIGHTS OF ALL CALIFORNIANS.

13

14 **CATHERINE LHAMON:** GOOD MORNING. I'M CATHERINE LHAMON, RACIAL  
15 JUSTICE DIRECTOR AT THE A.C.L.U. OF SOUTHERN CALIFORNIA, AND I  
16 TOO URGE THIS BOARD TO JOIN THE LAWSUIT CHALLENGING THE  
17 CONSTITUTIONALITY OF PROPOSITION 8. THE VERY TITLE OF  
18 PROPOSITION 8 STATES ITS CONSTITUTIONAL DEFECT. ITS TITLE IS  
19 ELIMINATE THE RIGHT OF SAME SEX COUPLES TO MARRY. PROPOSITION  
20 8 TAKES AWAY WHAT OUR CONSTITUTION GUARANTEES AS A FUNDAMENTAL  
21 RIGHT. IN SO DOING, IT WORKS A BREATHTAKING DIMINUTION OF THE  
22 VALUE OF THE CONSTITUTION ITSELF. IF IT STANDS, PROPOSITION 8  
23 WILL SUGGEST THAT ANY FUNDAMENTAL RIGHTS CAN BE REVOKED BY A  
24 BARE MAJORITY VOTE. OUR SYSTEM OF CHECKS AND BALANCES DOES NOT  
25 GIVE THE VOTING MAJORITY THE RIGHT TO TAKE AWAY OUR



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1 FUNDAMENTAL RIGHTS. PROPOSITION 8 IS UNCONSTITUTIONAL AND WILL  
2 BE OVERTURNED IN COURT. THIS COUNTY SHOULD STAND ON THE RIGHT  
3 SIDE OF HISTORY, SAYING THAT WE WILL NOT BE PART OF OFFICIAL  
4 DISCRIMINATION. BUT AS MUCH AS I AM PROFESSIONALLY INTERESTED  
5 IN ENSURING EQUAL PROTECTION FOR ALL PERSONS AS THE RACIAL  
6 JUSTICE DIRECTOR AT THE A.C.L.U. OF SOUTHERN CALIFORNIA, THIS  
7 ISSUE IS ALSO DEEPLY PERSONAL FOR ME. MY PARENTS WERE MARRIED  
8 IN WASHINGTON, D.C., RATHER THAN IN MY MOTHER'S HOME STATE OF  
9 VIRGINIA, BECAUSE IN 1966, VIRGINIA STILL OUTLAWED INTERRACIAL  
10 MARRIAGE. MY MOTHER, WHO IS BLACK, COULD NOT MARRY MY FATHER,  
11 WHO IS WHITE IN HER HOME STATE. THE FOLLOWING YEAR, THE UNITED  
12 STATES SUPREME COURT OUTLAWED RACE-BASED MARRIAGE RESTRICTIONS  
13 IN LOVING VERSUS VIRGINIA. I WAS RAISED IN THE SHADOW OF THE  
14 SUPREME COURT'S DECISION IN LOVING AND IN BROWN. THE EQUAL  
15 PROTECTION EXTENDS TO ALL PERSONS. THE SUPREME COURT'S  
16 DECISIONS THERE CREATED A NEW DAY OF MEANINGFUL OPPORTUNITY  
17 FOR PEOPLE LIKE ME, AND THEY ARE THE REASONS THAT I AM A CIVIL  
18 RIGHTS LAWYER. I ASK, I URGE THIS BOARD TO ENSURE THAT AN  
19 ELECTORATE CANNOT, THROUGH THE TYRANNY OF THE MAJORITY VOTE,  
20 WIPE AWAY WHOLE CLOTH SUCH FUNDAMENTAL CONSTITUTIONAL  
21 PROTECTIONS AS THE RIGHT TO EQUAL PROTECTION OF THE LAW FOR  
22 ALL PERSONS. BECAUSE IF WE CAN DO THAT, WE WILL AS A STATE  
23 RETURN TO THE BAD OLD DAYS OF INSTITUTIONALIZED DISCRIMINATION  
24 THAT I NEVER THOUGHT I WOULD SEE IN MY LIFETIME. I URGE THIS



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1 BOARD TO DO WHAT IS RIGHT AND WORK THROUGH A LAWSUIT TO  
2 PROTECT ALL CALIFORNIANS.

3

4 **SUP. BURKE, CHAIR:** THANK YOU VERY MUCH.

5

6 **SUP. MOLINA:** THANK YOU SO MUCH. THE FINAL PANEL IS CONNIE  
7 RICE, WITH THE ADVANCEMENT PROJECT, IF THEY'D JOIN US, AND  
8 BRIAN CHASE WITH LAMBDA LEGAL DEFENSE FUND.

9

10 **SUP. BURKE, CHAIR:** HOW MANY ARE THERE? PLEASE STATE YOUR NAME.

11

12 **CONNIE RICE:** GOOD MORNING. MY NAME IS CONNIE RICE. SUPERVISOR  
13 BURKE, THIS MAY BE ONE OF THE LAST TIMES I HAVE THE HONOR OF  
14 ADDRESSING YOU. THANK YOU SO MUCH FOR YOUR SERVICE. AS I'VE  
15 SAID, YOU WERE A ROLE MODEL FOR ME WHEN I WAS GROWING AND UP  
16 YOU STILL ARE. TO YOUR COLLEAGUES AND SUPERVISOR MOLINA AND  
17 SUPERVISOR YAROSLAVSKY, I THINK WE'VE KNOWN EACH OTHER FOR A  
18 VERY LONG TIME. I AM A CIVIL RIGHTS ATTORNEY. I HAVE FOUGHT  
19 FOR 25 YEARS AGAINST EXCLUSION BASED ON NATIONAL ORIGIN, RACE,  
20 GENDER, AGE, CLASS AND RELIGION. AND TODAY I'M HERE TO STAND  
21 AGAINST EXCLUSION BASED ON SEXUAL ORIENTATION. YOU HAVE HEARD  
22 THE LEGAL ARGUMENTS FOR VOTING TO JOIN THE LAWSUITS  
23 CHALLENGING THE CONSTITUTIONALITY OF PROP 8, AND I AGREE WITH  
24 ALL OF THOSE ARGUMENTS. THE MOST IMPORTANT OF COURSE IS THAT  
25 YOU CAN'T SIMPLY WAKE UP ONE MORNING AND DECIDE THAT IT WAS



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1    WRONG FOR WOMAN TO HAVE THE VOTE AND THEN GET A PETITION  
2    TOGETHER, AND WITH 50 PLUS ONE REVOKE THAT RIGHT. WHEN THE  
3    CALIFORNIA SUPREME COURT FOUND THAT GAYS, LESBIANS,  
4    TRANSSEXUALS, BISEXUALS, WHEN THAT COMMUNITY CONSTITUTES A  
5    TARGETED MINORITY THAT SUFFERS SPECIFIC STIGMA BASED ON BIAS  
6    AND FEAR, THEY HAVE JOINED THE OTHER PROTECTED CATEGORIES. YOU  
7    CAN'T SIMPLY STRIP THOSE RIGHTS AWAY WITH A MAJORITY VOTE. THE  
8    LOS ANGELES COUNTY BOARD OF SUPERVISORS IS THE LARGEST LOCAL  
9    ENTITY GOVERNMENT IN THE UNITED STATES, BY FAR. YOU CARRY A  
10   WEIGHT THAT OTHER LOCALITIES AND JURISDICTIONS DO NOT. THIS IS  
11   AN EXTRAORDINARILY IMPORTANT PRINCIPLE TO STAND FOR, NOT JUST  
12   TO PROTECT THE GAY AND LESBIAN COMMUNITY, BUT ALSO PROTECT THE  
13   RELIGIOUS COMMUNITY. BECAUSE CIVIL MARRIAGE IS COMPLETELY  
14   SEPARATE FROM SACRAMENT CHURCH-BLESSED MARRIAGE. I WOULD BE  
15   EQUALLY ADAMANT IN PROTECTING THE RIGHTS OF SYNAGOGUES AND  
16   MOSQUES AND CHURCHES TO CONFER THEIR SACRAMENTS BASED IN THEIR  
17   FAITH IN ANY WAY THEY DEEM NECESSARY ACCORDING TO THEIR FAITH.  
18   AND THE STATE LAW HAS ABSOLUTELY NOTHING TO SAY TO FAITH  
19   COMMUNITIES ABOUT WHOM THEY CAN MARRY AND HOW THEY CAN MARRY  
20   THEM. THIS IS A DOUBLE RIGHT. RELIGIOUS COMMUNITIES CANNOT  
21   TAKE CIVIL LAW AND MERGE IT WITH SACRAMENT LAW. WHEN YOU ARE  
22   TALKING ABOUT CIVIL LAW AND YOU CONFER THAT RIGHT AND THAT  
23   RESPONSIBILITY AND THAT PRIVILEGE TO THE CITIZENS OF  
24   CALIFORNIA, YOU CANNOT WITHHOLD THAT RIGHT BASED ON AN  
25   INVIDIOUS, TARGETED BASIS OF STIGMA. SEPARATE BUT EQUAL



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1 MARRIAGE DOESN'T WORK ANY BETTER THAN SEPARATE BUT EQUAL  
2 PUBLIC ACCOMMODATIONS OR ANYTHING ELSE. THERE IS NO  
3 DIFFERENCE. BECAUSE THE ONLY BASIS FOR HAVING TWO-TIER  
4 MARRIAGE IS BECAUSE THE SECOND TIER IS BASED ON FEAR AND  
5 LOATHING AND STIGMA, JUST AS SEPARATE BUT EQUAL ACCOMMODATIONS  
6 WERE BASED ON FEAR AND LOATHING OF AFRICAN-AMERICANS. THIS IS  
7 A CIVIL RIGHTS ISSUE, IT IS COMPARABLE TO THE BATTLES THAT MY  
8 PARENTS HAVE FOUGHT. ON A PERSONAL NOTE, I AM THE GREAT  
9 GRANDDAUGHTER OF SLAVES AND SLAVE OWNERS. MY GREAT  
10 GRANDPARENTS COULD NOT MARRY AS SLAVES. MY MARRIAGE TO A  
11 JEWISH MAN WOULD NOT HAVE BEEN POSSIBLE WITHOUT THE CHANGES IN  
12 CIVIL LAW. MARRIAGE IN THE CIVIL SIDE HAS BEEN EVOLVING WITH  
13 STANDARDS OF SOCIAL ACCEPTABILITY AND LAW. WE NEED TO TAKE  
14 THIS STEP NOW. I URGE YOU VERY STRONGLY TO JOIN THE FIGHT TO  
15 END THE EXCLUSION BASED ON SEXUAL ORIENTATION.

16

17 **BRIAN CHASE:** GOOD MORNING, SUPERVISORS. MY NAME IS BRIAN CHASE  
18 AND I AM A SENIOR STAFF ATTORNEY WITH THE LOS ANGELES OFFICE  
19 OF LAMBDA LEGAL. THANK YOU VERY MUCH FOR BRINGING US HERE AND  
20 I URGE PASSAGE OF THE MOTION. OVER THREE DECADES AGO, ANOTHER  
21 CONTROVERSIAL ANTI-GAY AND LESBIAN BALLOT INITIATIVE APPEARED  
22 IN CALIFORNIA. THE BRIGGS INITIATIVE WOULD HAVE FORCED EVERY  
23 GAY AND LESBIAN TEACHER IN CALIFORNIA TO BE FIRED AND WOULD  
24 HAVE FORCED ANY TEACHER WHO EVEN SPOKE OUT IN SUPPORT OF GAY  
25 PEOPLE TO BE FIRED. THE MISINFORMATION AND SCARE TACTICS THAT



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1 WERE USED TO PUSH THE BRIGGS INITIATIVE WOULD BE VERY FAMILIAR  
2 TO ANYONE WHO LIVED THROUGH THE LAST FOUR MONTHS IN  
3 CALIFORNIA. THEY'RE COMING FOR YOUR KIDS, THEY'RE GOING TO  
4 TURN YOUR KIDS GAY, THEY'RE COMING FOR THEM IN THE SCHOOL.  
5 THOSE LIES, THEY WEREN'T TRUE THEN AND THEY'RE NOT TRUE NOW.  
6 THE WELL FUNDED OPPONENTS OF EQUAL TREATMENT FOR GAY MEN AND  
7 LESBIANS USE THE SAME SCARE TACTICS TO TEAR CALIFORNIANS  
8 APART, TO CARVE OUR COMMUNITIES INTO SMALLER AND SMALLER  
9 GROUPS, RATHER THAN UNIFYING US ALL AS CALIFORNIANS. BUT THE  
10 DRAFTERS OF THE CALIFORNIA CONSTITUTION KNEW BETTER. THEY KNEW  
11 THAT ONLY A GUARANTEE OF EQUALITY FOR ALL CITIZENS COULD UNITE  
12 US, SO THEY GAVE US A PROMISE OF EQUAL PROTECTION UNDER THE  
13 LAW, BUT EQUAL PROTECTION MEANS NOTHING IF A BARE MAJORITY OF  
14 CITIZENS CAN VOTE TO STRIP AWAY RIGHTS FROM A HISTORICALLY  
15 OPPRESSED GROUP. IF JUST 51% WHO HAVE BEEN SCARED AND TOLD  
16 THAT SOMEBODY'S GOING TO HURT THEIR KIDS CAN STRIP AWAY  
17 RIGHTS, THEN EQUAL PROTECTION DOESN'T MEAN ANYTHING. IF 51%  
18 CAN STRIP AWAY THE RIGHTS OF ONE MINORITY, THEN THEY CAN DO IT  
19 TO ANYONE. IF MINORITY RIGHTS CAN VANISH BY MAJORITY VOTE,  
20 THEN WE'RE NOT EQUAL CITIZENS UNDER THE LAW AND THE EQUAL  
21 PROTECTION GUARANTEES OF THE CONSTITUTION ARE JUST INK ON  
22 PAPER. I URGE ALL OF YOU TO SUPPORT THIS LAWSUIT AND TO ASK  
23 THE SUPREME COURT TO SAY CLEARLY THAT EQUAL PROTECTION RIGHTS  
24 ARE NOT UP FOR VOTE, THEY ARE RIGHTS ENJOYED BY ALL CITIZENS.  
25 THANK YOU VERY MUCH.





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1

**SUP. MOLINA:** THANK YOU VERY MUCH. THAT CONCLUDES THE FORMAL  
PANEL. WE HAVE SIX OTHER MEMBERS THAT WOULD LIKE TO ADDRESS  
US. WE HAVE A LIMITATION AS WE ARE LOSING A QUORUM. IF YOU  
WOULD LIKE TO SPEAK, PLEASE COME UP AND JOIN US. IF NOT,  
INTRODUCE YOURSELF AND WE'LL BE FINE. JOHN WALSH, LUIS LOPEZ  
FROM THE HONOR P.A.C., DR. MAYRA FERNANDEZ, ALSO FROM HONOR  
P.A.C. NOT EVERYONE NEEDS TO SPEAK. FRANCISCO DUENAS FROM THE  
CITY OF LOS ANGELES HUMAN RELATIONS. ELENA POPP, ALSO FROM THE  
HONOR P.A.C., AND MARIO CEBALLOS FROM THE LOS ANGELES COUNTY  
HUMAN RELATIONS COMMISSION.

12

**SUP. BURKE, CHAIR:** TO THE DEGREE THAT ANYONE IS WILLING TO  
JUST SIMPLY STATE THEIR POSITION WITHOUT GIVING A FORMAL  
STATEMENT, WE WOULD APPRECIATE THAT. WE DO WANT TO GET TO THIS  
TODAY. PLEASE STATE YOUR NAME.

17

**JOHN WALSH:** MY NAME IS JOHN WALSH FROM HOLLYWOOD REPRESENTING  
STRAIGHTS AND GAYS ALL THE WAY AGAINST PROPOSITION 8. I'M ALSO  
AN UNPAID LOBBYIST FOR THE WEDDING TUXEDO INDUSTRY, WHICH  
STANDS TO GAIN A GREAT DEAL OF MONEY IF THIS LAWSUIT PASSES.  
WE ALSO HAVE IN OUR GROUP A THEME SONG, I WON'T SING IT FOR  
YOU, IT'S FROM "MY FAIR LADY," "GET ME TO THE CHURCH ON TIME."  
TOGETHER, ALL THE WAY, GAYS AND STRAIGHTS. AND THE ONLY WAY  
THAT THEY'RE GOING TO SEPARATE PROGRESSIVE GAYS AND



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1 PROGRESSIVE STRAIGHTS, THE ONLY WAY THE RIGHT IS GOING TO  
2 SEPARATE US IS WITH A CROWBAR. THANK YOU.

3

4 **SUP. MOLINA:** THANK YOU.

5

6 **SUP. BURKE, CHAIR:** THANK YOU. PLEASE STATE YOUR NAME.

7

8 **DR. MAYRA FERNANDEZ:** MAYRA, DR. MAYRA FERNANDEZ, I'VE COME  
9 FROM LONG BEACH. AND I JUST WANT TO SPEAK BRIEFLY THAT ON  
10 SEPTEMBER THE 15TH, RIGHT AFTER 9-11, MY PARTNER AND I DID AN  
11 INCREDIBLE, BEAUTIFUL THING AND WE BROUGHT FIVE CHILDREN INTO  
12 OUR HOME TO BE ADOPTED. THESE CHILDREN HAVE COME FROM  
13 INCREDIBLE BACKGROUNDS. AND D.C.S.F. IN ITS ALMIGHTY WISDOM  
14 WOULD NOT ALLOW TO US ADOPT THEIR THREE OLDER SIBLINGS. THESE  
15 THREE OLDER SIBLINGS ENDED UP IN JUVENILE HALL, IN GANGS,  
16 DRUGS, AND EVERYTHING THAT COST THE COUNTY A LOT OF MONEY. IN  
17 THE MEANTIME, WE HAVE TAKEN THESE CHILDREN, AND TWO OF WHOM  
18 WERE CLASSIFIED MENTALLY RETARDED, AND ARE IN REGULAR  
19 CLASSROOMS DOING VERY, VERY WELL. AND WE HAVE SAVED THE COUNTY  
20 A LOT OF MONEY. BUT IT'S JUST NOT MY PARTNER AND MYSELF, IT'S  
21 ALSO A LOT OF GAYS WHO HAVE TAKEN THESE CHILDREN INTO THEIR  
22 HOMES AND LOVED THEM AND HAVE SAVED THE COUNTY A LOT OF MONEY.  
23 AND SO I URGE YOU TO PLEASE ALLOW US AND OUR CHILDREN TO WALK  
24 WITH OUR HEADS HELD HIGH, LIKE WE PEOPLE OF COLOR NOW HAVE  
25 WHEN THE PRESIDENT-ELECT, WHO IS AFRICAN AMERICAN, WE ALL WALK



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1 A LOT BETTER AND FEEL BETTER ABOUT OURSELVES, AND I WANT OUR  
2 CHILDREN TO BE ABLE TO DO THAT, KNOWING THAT THEIR PARENTS ARE  
3 SUPPORTED BY THE MAJORITY OF THESE PEOPLE HERE IN CALIFORNIA,  
4 OUR BROTHERS AND SISTERS. SO I THANK YOU FOR ALLOWING ME TO  
5 SPEAK AND HOPEFULLY THAT YOU WILL VOTE FOR THE RIGHT SIDE.  
6 THANK YOU SO MUCH.

7

8 **SUP. MOLINA:** THANK YOU.

9

10 **SUP. BURKE, CHAIR:** PLEASE STATE YOUR NAME.

11

12 **LUIS LOPEZ:** LUIS LOPEZ. GOOD MORNING.

13

14 **SUP. BURKE, CHAIR:** PLEASE HAVE A SEAT.

15

16 **LUIS LOPEZ:** GOOD MORNING, CHAIR, MEMBERS OF THE BOARD OF  
17 SUPERVISORS. MY NAME IS LUIS LOPEZ. I SERVE AS PRESIDENT OF  
18 HONOR P.A.C. AND I'M HERE JOINED BY A NUMBER OF MY COLLEAGUES.  
19 HONOR P.A.C. IS A STATEWIDE COMMITTEE COMMITTED TO THE  
20 EMPOWERMENT OF GAY LATINO COMMUNITIES ACROSS THE STATE OF  
21 CALIFORNIA. WE ARE HERE TO URGE SUPPORT FOR THIS MOTION AND  
22 FOR THE COUNTY TO TAKE PART IN THE LITIGATION AGAINST PROP 8.  
23 WE KNOW ACCORDING TO THE 2,000 U.S. CENSUS, THAT LATINO SAME  
24 SEX HOUSEHOLDS ARE RAISING CHILDREN AT RATES FAR GREATER THAN  
25 THEIR WHITE, ASIAN, BLACK, AND INTERRACIAL COUNTERPARTS. WE



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1 ALSO KNOW THAT LATINO SAME SEX HOUSEHOLDS ARE IN MANY WAYS  
2 SIMILAR TO THEIR NONGAY, HETEROSEXUAL LATINO COUNTERPARTS.  
3 THEY ARE RAISING CHILDREN, THEY LIVE IN THE SAME COMMUNITIES,  
4 THEY SEND THEIR KIDS TO THE SAME SCHOOLS, AND THEY'RE DEALING  
5 WITH THE SAME ISSUES THAT MANY LATINO COUPLES ARE DEALING  
6 WITH. FOR THESE FAMILIES, RESERVING THE RIGHT TO MARRY WOULD  
7 PROVIDE GREATER LEGAL PROTECTIONS, ECONOMIC SECURITY AND PEACE  
8 OF MIND, ESPECIALLY IN TIMES OF CRISIS SUCH AS IN THE CASE OF  
9 A PARTNER'S ILLNESS OR DEATH. FOR THESE REASONS, WE URGE YOU  
10 TO PASS THIS MOTION AND ON BEHALF OF OUR SUPPORTERS AND THE  
11 THOUSANDS OF GAY COUPLES OF ALL RACES ACROSS THE STATE OF  
12 CALIFORNIA, BOTH MARRIED AND UNMARRIED, WE THANK YOU FOR YOUR  
13 LEADERSHIP AND FOR ADVANCING THIS MOTION AND FOR PASSING IT  
14 TODAY.

15

16 **SUP. BURKE, CHAIR:** THANK YOU. PLEASE STATE YOUR NAME.

17

18 **MARIO CEBALLOS:** MARIO CEBALLOS. AND I'M HERE FIRST OF ALL TO  
19 THANK YOU FOR THE OPPORTUNITY TO SPEAK AND THE LEADERSHIP THAT  
20 ALL OF YOU HAVE SHOWN ON SO MANY ISSUES AND ESPECIALLY THIS  
21 ONE. I'M HERE TO SPEAK TO YOU BOTH AS A RESIDENT OF THIS  
22 COUNTY AND AS A HUMAN RELATIONS COMMISSIONER. ALSO, FRANCISCO  
23 DUENAS, A COMMISSIONER FOR THE CITY'S, HUMAN RELATIONS  
24 COMMISSIONER, ALLOWED ME TO SPEAK ON HIS BEHALF. I WANT TO  
25 BEGIN BY LETTING YOU KNOW THAT MY FAMILY CAME TO THIS COUNTRY,



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1 BUT VERY SPECIFICALLY TO THIS COUNTY BECAUSE IT WAS A PLACE OF  
2 PROMISE, OF OPPORTUNITY, AND OF GREAT RIGHTS THAT PERHAPS WE  
3 DIDN'T HAVE IN OUR OWN COUNTRY. WE CAME HERE BELIEVING THAT WE  
4 COULD NOT ONLY PROVIDE OUR TALENT AND RESOURCES TO THIS  
5 COUNTRY, BUT THAT WE WOULD BE ABLE TO GROW AS INDIVIDUALS AND  
6 AS A FAMILY. TO THIS, I'M VERY GRATEFUL. AS A COMMISSIONER,  
7 I'M ALSO GRATEFUL FOR THE OPPORTUNITY TO ADDRESS MANY OF THE  
8 ISSUES THAT OFTEN DIVIDE OUR FAMILIES, OUR NEIGHBORHOODS, AND  
9 OUR HOMES. THIS IS ONE OF THOSE ISSUES, AND HERE IS WHERE I  
10 WOULD ASK YOU TO TELL US THAT THIS IS IN FACT A PLACE WHERE  
11 EQUALITY DOES MATTER. EVERY YEAR, THE HUMAN RELATIONS  
12 COMMISSION ISSUES A HATE CRIME REPORT. YOU KNOW HOW IMPORTANT  
13 THAT REPORT IS TO THE QUALITY OF LIFE THAT WE CAN BRING ALL OF  
14 OUR RESIDENTS. IN THIS REPORT, WE WANT TO MAKE SURE THAT NO  
15 ONE EVER IS A SECOND CLASS CITIZEN IN OUR COUNTY, NOT WHERE  
16 THEY LIVE, NOT WHAT SERVICES THEY SEEK, NOT WHAT IDEALS THEY  
17 WANT TO ACHIEVE IN THEIR LIFETIME. HERE, WE WANT TO MAKE SURE  
18 THAT EVERYONE IS GOING TO BE PROTECTED UNDER THE LAW.  
19 RECENTLY, WE SAW SOMETHING THAT WE NEVER IMAGINED WE WOULD SEE  
20 IN OUR LIFETIME, AND THAT IS TO SEE PRESIDENT-ELECT OBAMA BE  
21 ELECTED. WHAT HE SPOKE ABOUT WAS THAT PERFECT UNION IN OUR  
22 COUNTRY AND HOW WE ARE GOING TO BE REACHING IT. I WANT TO  
23 BELIEVE THAT L.A. COUNTY IS REACHING THAT SAME POINT, A PLACE  
24 WHERE WE ARE A PERFECT UNION. SO I ASK YOU TODAY TO SUPPORT  
25 THIS MOTION. THANK YOU THOSE WHO BROUGHT THIS MOTION TO THE



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1 BOARD OF SUPERVISORS. AND LASTLY, I WOULD WANT TO ADD THIS. I  
2 BELIEVE THAT OUR FOUNDING FATHERS WOULD HAVE VOTED "NO" ON  
3 PROPOSITION 8. IN THEIR WISDOM, THEY UNDERSTOOD THAT THE  
4 PERFECT WAY, THE PERFECT UNION WOULD ONLY BE REACHED THROUGH  
5 THE SEPARATION OF CHURCH AND STATE. I HOPE WE CAN FOLLOW THEIR  
6 TEACHINGS AND, AGAIN, ALLOW OTHERS TO REACH THIS IDEAL.

7

8 **SUP. BURKE, CHAIR:** THANK YOU. PLEASE STATE YOUR NAME.

9

10 **ELENA POPP:** MY NAME IS ELENA POPP AND THIS IS MY PARTNER,  
11 BRIDGET GONZALEZ, AND I WANT TO START BY THANKING SUPERVISOR  
12 MOLINA FOR HER EARLY LEADERSHIP ON THIS ISSUE. I CONCUR WITH  
13 THE SPEAKERS WHO HAVE TALKED ABOUT THIS BEING A CONSTITUTIONAL  
14 ISSUE AND AN ISSUE OF EQUAL PROTECTION. IT IS ALSO AN ISSUE OF  
15 LOVE. I MET MY SOUL MATE 15 YEARS AGO. WE'VE BEEN TOGETHER FOR  
16 15 YEARS AND WE WERE MARRIED MONDAY BEFORE ELECTION DAY AT THE  
17 EAST L.A. OFFICE OF THE CAMPAIGN, BECAUSE WE DIDN'T QUITE  
18 TRUST THAT THE VOTERS WOULD DO THE RIGHT THING. AND IT'S SAD  
19 THAT WE DIDN'T TRUST THE VOTERS. WE TURNED OUT TO BE RIGHT.  
20 AND I WANT TO POINT OUT, HOWEVER, THAT THAT MARGIN IS SO  
21 HORRIBLY NARROW THAT IT IS REALLY -- IT IS SO ESSENTIAL THAT  
22 THE PROPOSITION BE OVERTURNED. I THINK WE CAN COUNT ON THESE  
23 VOTES HERE TODAY AND I THANK YOU FOR YOUR TIME.

24

25 **SUP. MOLINA:** THANK YOU SO MUCH.



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1

2 **SUP. BURKE, CHAIR:** IS THERE ANYONE ELSE?

3

4 **SUP. MOLINA:** THANK YOU SO MUCH FOR JOINING US. I WANT TO THANK  
5 ALL THE SPEAKERS WHO CAME TO JOIN US AND DISCUSS THIS ITEM. WE  
6 APPRECIATE YOUR INPUT.

7

8 **SUP. BURKE, CHAIR:** CAN WE HEAR FROM THE COUNTY COUNSEL? WOULD  
9 YOU LIKE TO MAKE A STATEMENT FIRST?

10

11 **SUP. YAROSLAVSKY:** NOT YET. I WANT TO HEAR FROM COUNTY COUNSEL.

12

13 **LEELA KAPUR, COUNSEL:** CHAIRPERSON BURKE AND SUPERVISORS, AS  
14 STATED EARLIER, THE SPECIFIC QUESTION THAT'S IN FRONT OF THE  
15 COURT IS A QUESTION AS TO WHETHER OR NOT PROPOSITION 8 IS AN  
16 AMENDMENT OR REVISION TO THE CONSTITUTION. AS ELOQUENTLY  
17 STATED BY MR. HERRERA AND MR. DELGADILLO, THAT ISSUE HAS A  
18 VERY COMPLICATED AND COMPLEX CONSTITUTIONAL ISSUE BEHIND IT,  
19 AND THAT'S THE QUESTION AS TO WHETHER OR NOT PROPOSITION 8  
20 IMPACTS THE EQUAL PROTECTION CLAUSE OF THE CONSTITUTION IN  
21 SUCH A WAY AS TO MAKE IT A REVISION AS OPPOSED TO AN  
22 AMENDMENT. I DON'T KNOW THAT I CAN ADD TO WHAT THEY'VE  
23 DESCRIBED AS THEIR ARGUMENTS IN SUPPORT OF THEIR POSITIONS.  
24 BUT WHAT I WOULD BRING TO YOUR ATTENTION IS A COUPLE OF FACTS,  
25 THAT I'M NOT SURE WE'RE CLEARLY EMPHASIZED TODAY, JUST SO YOU





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1 HAVE A FULL UNDERSTANDING OF WHAT'S IN FRONT OF THEM. FIRST OF  
2 ALL, THE SUPREME COURT OPINION THAT WAS ISSUED IN MAY DID TWO  
3 THINGS THAT WERE VERY IMPORTANT, IN MY PERSPECTIVE TO WHAT'S  
4 GOING TO BE IN FRONT OF IT IN THE NEXT FEW MONTHS. FIRST OF  
5 ALL, IT DEEMED THAT SEXUAL ORIENTATION, GAY AND LESBIANS, WERE  
6 A PROTECTED CLASS UNDER THE EQUAL PROTECTION CLAUSE. THAT'S A  
7 VERY HIGH LEVEL OF SCRUTINY THAT'S NECESSARY IN ORDER TO  
8 INFRINGE UPON THEIR RIGHTS. SECONDLY, IT FOUND THAT THE  
9 DEPRIVATION OF THE RIGHT TO MARRIAGE, WHICH IS A FUNDAMENTAL  
10 RIGHT UNDER THE CONSTITUTION TO THAT CLASS WAS HIGHLY  
11 PROTECTED. I BRING THAT UP FOR SEVERAL REASONS. FIRST OF ALL,  
12 WHEN YOUR BOARD CONSIDERS WHETHER IT WANTS TO JOIN IN ON THESE  
13 LAWSUITS, ONE OF THE ISSUES THAT SUPERVISOR MOLINA RAISED IN  
14 HER OPENING STATEMENTS WAS THE ISSUE OF STANDING, WHAT THE  
15 COUNTY WOULD BE BRINGING TO THE TABLE AND UNDER WHAT RATIONALE  
16 IT WOULD BE BRINGING THIS LAWSUIT. AND I THINK THAT THE FACT  
17 THAT THE SUPREME COURT FOUND THIS PROTECTED CLASS INDICATES  
18 THAT -- THAT STRENGTHENS OR SUPPORTS THE COUNTY'S POSITION  
19 THAT WE ARE FACING A DILEMMA BETWEEN WHETHER WE CONTINUE TO  
20 ISSUE LICENSES OR HOW WE PROCESS LICENSES IN THE SOLEMNIZATION  
21 OF MARRIAGES FOR GAYS AND LESBIANS VERSUS OUR BALANCING OF  
22 THEIR FUNDAMENTAL RIGHTS AND THEIR EQUAL PROTECTION RIGHTS. SO  
23 GIVEN THE HIGHER LEVEL OF SCRUTINY THAT THE COURT HAS IMPOSED  
24 OR HAS FOUND FOR THAT CLASS OF PEOPLE, I THINK THAT THAT  
25 SUPPORTS OUR STANDING ARGUMENT. SECONDLY, I BRING THAT UP



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1 BECAUSE I THINK THAT FROM MY READING OVER THE LAST SEVERAL  
2 DAYS OF THE CASES THAT ARE ALREADY OUT THERE, YOU NEED TO  
3 UNDERSTAND THAT THIS TRULY IS A CASE OF FIRST IMPRESSION. AND  
4 THE REASON THAT I THINK IT IS A CASE OF FIRST IMPRESSION IS  
5 SPECIFICALLY FOR THAT REASON. THE DISCUSSIONS PREVIOUSLY AT  
6 THE CALIFORNIA SUPREME COURT LEVEL, AS WELL AS FROM WHAT I CAN  
7 TELL IN OTHER JURISDICTIONS HAS NEVER CENTERED AROUND AN ISSUE  
8 WHERE YOU'RE DISCUSSING THE EQUAL PROTECTION CLAUSE IN QUITE  
9 THE SAME WAY. IT NEVER HAS CENTERED AROUND AN ISSUE WHERE A  
10 PROTECTED CLASS AND A FUNDAMENTAL RIGHT ARE INVOLVED. AND  
11 GIVEN THAT, THIS BRINGS THIS, IN MY OPINION, TO A DIFFERENT  
12 LEVEL THAN IT WOULD OTHERWISE BE AT BUT FOR THAT. AND THIRDLY,  
13 I THINK THAT GIVEN THE SUPREME COURT'S PREVIOUS RULING, IT IS  
14 MORE LIKELY TO TAKE INTO CONSIDERATION THE ARGUMENTS THAT ARE  
15 BEING MADE NOW BECAUSE OF ITS PREVIOUS RULING. WITH ALL THAT  
16 BEING SAID, IT IS VERY IMPORTANT TO NOTE THAT THE RIGHT TO THE  
17 INITIATIVE PROCESS IS HIGHLY PROTECTED AND HIGHLY GUARDED BY  
18 THE SUPREME COURT. I WOULD SAY THAT THEY ARE HESITANT TO  
19 OVERTURN THE RIGHT TO THE INITIATIVE PROCESS AND THEREFORE TO  
20 FIND THAT THIS IS A REVISION WILL BE -- WILL REQUIRE A STRONG  
21 ARGUMENT ON THE BEHALF OF THE PETITIONERS. FOR THAT REASON  
22 AND, YOU KNOW, ALL THE VERY COMPLICATED ISSUES THAT ARE BEING  
23 PRESENTED BY THIS PETITION, AS SUPERVISOR YAROSLAVSKY  
24 MENTIONED IN HIS OPENING REMARKS, THIS IS A VERY CLOSE  
25 QUESTION. IT'S ONE THAT I THINK EVERYBODY WHO HAS BROUGHT IT



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1 WOULD SAY IT IS A QUESTION OF FIRST IMPRESSION. IT RAISES SOME  
2 VERY COMPLICATED CONSTITUTIONAL ISSUES AND IT IS VERY  
3 DIFFICULT TO PREDICT WHERE THE COURT WILL GO WITH THAT. JUST  
4 PROCEDURALLY, IF YOUR BOARD WERE TO DIRECT US TO PARTICIPATE  
5 IN THE LITIGATION, MOST LIKELY WE WOULD DO IT BY JOINING THE  
6 PETITION THAT HAS BEEN BROUGHT BY THE CITY AND COUNTY OF SAN  
7 FRANCISCO, THE COUNTY OF SANTA CLARA, AND THE CITY OF L.A.,  
8 AND THAT WOULD SEEM TO BE THE APPROPRIATE WAY TO PROCEED  
9 UNLESS YOUR BOARD HAD A DIFFERENT DIRECTION. AND I'M HERE TO  
10 ANSWER ANY QUESTIONS THAT YOU MAY HAVE AT THIS POINT.

11

12 **SUP. BURKE, CHAIR:** I HAVE ONE QUESTION. IT WAS A REQUEST THAT  
13 THIS ITEM BE CONTINUED. IS IT TIME-SENSITIVE? WOULD IT BE  
14 APPROPRIATE FOR US TO TAKE SOME DECISION AS SOON AS POSSIBLE  
15 SO THAT WE COULD JOIN IN THOSE CASES AS THEY MOVE FORWARD?

16

17 **LEELA KAPUR, COUNSEL:** CHAIRPERSON BURKE, IT'S VERY DIFFICULT  
18 TO ANSWER THAT QUESTION. WHAT IS IN FRONT OF THE SUPREME COURT  
19 AT THIS MOMENT ARE SEVERAL PETITIONS, TWO OF WHICH INCLUDE A  
20 REQUEST FOR A STAY, WHICH MEANS THEY'RE ASKING THAT THE COURT  
21 IMMEDIATELY STAY THE ENFORCEMENT OF THE PROPOSITION. THE  
22 SUPREME COURT HAS QUITE A BIT OF LATITUDE. IT IS MY  
23 UNDERSTANDING, IT CAN ISSUE THE STAY AT ANY MOMENT, IT CAN  
24 ISSUE AN ALTERNATIVE WRIT, MOVING THE CASE FORWARD AT ANY  
25 MOMENT. IT DOES NOT NECESSARILY HAVE TO WAIT FOR ANY OF THE



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1   RESPONDENTS OR THE FILING OF ANY OPPOSITION. SO IT COULD DO  
2   SOMETHING IMMEDIATELY OR IT COULD ISSUE A BRIEFING SCHEDULE  
3   AND SET A HEARING WHICH WOULD TAKE A LONGER PERIOD OF TIME AND  
4   WOULD BE MORE PREDICTABLE, SO I CANNOT TELL YOU WHETHER THE  
5   SUPREME COURT WILL ACT IN THE NEXT WEEK OR WHETHER IT WOULD  
6   NOT HAVE ACTED BY YOUR NEXT MEETING. I CAN TELL YOU THAT THERE  
7   IS A POTENTIAL THAT IT COULD ACT BEFORE NEXT TUESDAY.

8

9   **SUP. BURKE, CHAIR:** WOULD IT BE APPROPRIATE FOR US TO JOIN IN  
10   THAT PETITION FOR THE STAY? IS THAT WHAT'S BEING REQUESTED?

11

12   **LEELA KAPUR, COUNSEL:** WHAT IS BEING REQUESTED IS THAT WE JOIN  
13   IN OR OTHERWISE PARTICIPATE IN THE LITIGATION. AS I SAID, MY  
14   INSTINCT WOULD BE THAT IF WE WERE GOING TO PARTICIPATE, THE  
15   APPROPRIATE WAY TO DO IT WOULD BE TO JOIN IN IN THE CITY AND  
16   COUNTY OF SAN FRANCISCO'S LAWSUIT BECAUSE WE'RE MOST CLOSELY  
17   ALIGNED WITH THEM FROM A STANDING POSITION. THAT LAWSUIT, IT  
18   IS MY UNDERSTANDING, DOES NOT REQUEST AN IMMEDIATE STAY. BUT  
19   THAT STAY IS BEING REQUESTED BY OTHER PETITIONS, SO WE WOULD  
20   CERTAINLY -- THAT STAY WOULD COVER ALL JURISDICTIONS  
21   OBVIOUSLY, AND WOULD COVER THE ISSUE ADEQUATELY.

22

23   **SUP. YAROSLAVSKY:** MADAM CHAIR, I WOULD ASK THAT WE MOVE  
24   FORWARD TODAY IN ACCORDANCE WITH THE SUGGESTION MADE BY THE  
25   COUNTY COUNSEL TO JOIN IN THE SUITS THAT ARE ALREADY BEING



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1 FILED, AND POOL OUR RESOURCES TOGETHER AND MAKE MORE SENSE.  
2 AND ALSO JOIN IN THE EFFORT OF THE STAY. I THINK WE ALL HAVE  
3 CONFIDENCE THAT WITH ALL THIS LEGAL BRAIN POWER HERE THAT  
4 WE'LL PUT THE BEST CASE FORWARD. I THINK IT'S VERY IMPORTANT  
5 THAT THE COUNTY OF LOS ANGELES BE AT THE TABLE ON THIS. THIS  
6 IS THE LARGEST COUNTY, AS WAS MENTIONED EARLIER, THE LARGEST  
7 COUNTY IN THE STATE, THE LARGEST COUNTY IN THE COUNTRY. I  
8 THINK IT'S IMPORTANT THAT THE COUNTY BE HEARD ON THIS ISSUE. I  
9 DON'T WANT TO REPEAT WHAT EVERYONE HAS SAID. I JUST WANT TO  
10 SAY IT BRIEFLY ONE TIME, AND THAT IS THAT IT IS UNUSUAL FOR  
11 THE HIGH COURT TO OVERTURN AN INITIATIVE. IT SHOULD BE AN  
12 UNUSUAL EVENT BECAUSE THE WILL OF THE PEOPLE SHOULD GENERALLY  
13 BE RESPECTED WHEN THEY CAST THEIR VOTE. THE ONLY TIME WHEN  
14 THAT HAS NOT BEEN THE CASE AND WHERE IT CAN'T BE THE CASE IS  
15 WHEN A MEASURE IS ON THE BALLOT THAT IS APPROVED THAT  
16 FUNDAMENTALLY TAKES AWAY A CONSTITUTIONAL RIGHT THAT PEOPLE  
17 HAVE. AN EQUAL PROTECTION CLAUSE OF THE CONSTITUTION, WHICH IS  
18 SUBSUMED IN THE STATE CONSTITUTION, IS ONE OF THE MOST  
19 VALUABLE RIGHTS AND CLAUSES OF OUR CONSTITUTION THAT WE HAVE  
20 IN THIS COUNTRY. IT'S WHAT'S GOTTEN US TO WHERE WE ARE TODAY,  
21 LITERALLY AND FIGURATIVELY. AND I AM OLD ENOUGH TO REMEMBER  
22 PROPOSITION 14 IN 1964 WHEN THERE WAS AN INITIATIVE ON THE  
23 BALLOT TO OVERTURN THE RUMFORD FAIR HOUSING ACT. I DON'T  
24 REMEMBER WHICH COURT OVERRULED IT AS UNCONSTITUTIONAL. BUT IT  
25 WAS RULED UNCONSTITUTIONAL, EVEN THOUGH IT PASSED 2-TO-1 IN



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1 CALIFORNIA, DISCRIMINATORY PRACTICES IN HOUSING, ACCOMMODATION  
2 WAS APPROVED BY THE PEOPLE OF CALIFORNIA IN 1964 BY ALMOST 2-  
3 TO-1. IT WAS OVERTHROWN. I SUSPECT IF PROPOSITION 6, WHICH WAS  
4 REFERENCED EARLIER, HAD BEEN APPROVED, WHICH IT WASN'T, THANK  
5 GOODNESS, BACK IN 1978, THAT THAT WOULD HAVE BEEN RULED  
6 UNCONSTITUTIONAL ON THE SAME GROUNDS. I'M NOT A LAWYER. I  
7 CAN'T GET INTO THE INTRICACIES OF ALL OF THE -- LEGAL  
8 INTRICACIES OF ALL OF THIS. ALL I KNOW IS THIS, THE SUPREME  
9 COURT RULED LAST SPRING THAT SAME-GENDER MARRIAGE WAS LEGAL,  
10 WAS CONSTITUTIONAL. THE MEASURE THAT WAS ON THE BALLOT REMOVED  
11 THAT RIGHT. AND I THINK WE NEED TO BE IN THE FIGHT TO RESTORE  
12 THAT RIGHT. IT DOESN'T HURT ANYBODY, IT ONLY HELPS THOSE WHO  
13 WANT TO PARTAKE OF THAT RIGHT, IT DOES NOT ADVERSELY AFFECT  
14 ANYBODY ELSE, AND ABOVE ALL, IT'S GOING TO BE TOUGH. THE COURT  
15 WAS DIVIDED WHEN IT RULED ON THIS. THE STATE IS DIVIDED, THE  
16 COUNTY IS DIVIDED. THIS IS A CLOSE CALL. THIS IS WHAT THE  
17 JUDGES AND THE REST OF US GET PAID THE BIG BUCKS FOR, IS TO  
18 MAKE THESE KINDS OF TOUGH CALLS. AND WHEN WE TAKE OUR OATH OF  
19 OFFICE HERE AND ELSEWHERE, WHEN WE SWEAR TO UPHOLD THE  
20 CONSTITUTION OF THE STATE OF CALIFORNIA AND THE CONSTITUTION  
21 OF THE UNITED STATES, THAT'S EXACTLY WHAT IT MEANS. AND IT  
22 MEANS YOU UPHOLD IT WHEN IT'S EASY AND YOU UPHOLD IT WHEN IT'S  
23 NOT EASY, WHEN IT'S HARD. AND THIS IS A TOUGH ONE, BUT AT THE  
24 END OF THE DAY, WE NEED TO DO IT AND WE NEED TO STAND WITH THE  
25 CONSTITUTION.



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1

2 **SUP. BURKE, CHAIR:** ARE YOU AMENDING THE MOTION -- ARE YOU  
3 AMENDING THE MOTION TO ASK THAT WE JOIN IN THAT PARTICULAR  
4 LAWSUIT THAT'S BEEN FILED BY THE CITY AND COUNTY OF SAN  
5 FRANCISCO?

6

7 **SUP. YAROSLAVSKY:** I THINK THAT'S --

8

9 **SUP. BURKE, CHAIR:** THAT WAS WHAT YOU SUGGESTED, YES, AND THE  
10 CITY OF LOS ANGELES.

11

12 **LEELA KAPUR, COUNSEL:** THAT WOULD BE OUR SUGGESTION. AND WE'VE  
13 SPOKEN TO THE CITY, MR. HERRERA IS OUT IN THE AUDIENCE, AND  
14 THAT WOULD BE ACCEPTABLE.

15

16 **SUP. YAROSLAVSKY:** I WOULD SO MOVE.

17

18 **SUP. BURKE, CHAIR:** ALL RIGHT. AND YOU WOULD JOIN IN THAT?

19

20 **SUP. MOLINA:** ABSOLUTELY. I THINK THAT WOULD PROBABLY BE THE  
21 BETTER COURSE.

22

23 **SUP. BURKE, CHAIR:** I REALLY THINK THAT I SHOULD MAKE A  
24 STATEMENT. IN MY DISTRICT, PROPOSITION 8 PASSED BY 54 TO 46.  
25 NOW I CERTAINLY ALSO REMEMBER PROPOSITION 14. I CAN REMEMBER





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1 WALKING DOOR TO DOOR TRYING TO PREVENT THAT PROPOSITION FROM  
2 TAKING EFFECT, AND IT'S SO SIMILAR TO WHAT WE HAVE HERE IN  
3 PROPOSITION 8. I DON'T THINK THERE'S ANY SECRET THAT I OPPOSED  
4 8, THAT I OPPOSED IT FOR A NUMBER OF REASONS, BASICALLY  
5 BECAUSE I BELIEVE THAT YOU CANNOT HAVE THE ERADICATION OF  
6 EQUAL PROTECTION. AS A LAWYER, THAT IS MY PRIMARY GOAL, TO  
7 MAKE SURE THAT THERE IS EQUAL PROTECTION OF THE LAW. I FELT  
8 THAT WAY WHEN PROPOSITION 14 WAS BEFORE THE PEOPLE, I FELT  
9 THAT WAY WHEN PROPOSITION 8 WAS BEFORE THE PEOPLE. I RESPECT  
10 EVERYONE'S RIGHT TO THEIR RELIGION AND TO BE ABLE TO EXPRESS  
11 THAT RELIGION AND TO CONFORM TO THAT RELIGION. BUT MY RELIGION  
12 IS NOT SOMETHING THAT SOMEONE ELSE HAS TO CONFORM TO. THERE'S  
13 NO REQUIREMENT THAT I ADVOCATE MY RELIGION OR PUSH MY REGION  
14 ANYONE ELSE. NOW, MY RELIGION HAPPENS NOT TO HAVE ANY  
15 PROHIBITION AGAINST SAME-SEX MARRIAGE. AND I ACCEPT THAT  
16 BECAUSE I BELIEVE IT'S CONSISTENT WITH RELIGIOUS GOALS. AND I  
17 BELIEVE IT'S CONSISTENT WITH CHRISTIAN GOALS. SO I AM VERY,  
18 VERY SUPPORTIVE OF THIS MOTION. AS A LAWYER, AS A PERSON WHO  
19 BELIEVES VERY STRONGLY IN CHRISTIAN PRINCIPLES, I BELIEVE THAT  
20 PART OF THOSE PRINCIPLES IS RESPECTING THE RIGHT OF OTHERS TO  
21 HAVE THOSE PRINCIPLES AND TO HAVE THEIR OWN RELIGION AND ALSO  
22 TO ENJOY THE SAME BENEFITS AND RIGHTS THAT I ENJOY, WHETHER OR  
23 NOT IT'S SAME SEX OR HETEROSEXUAL. I BELIEVE THAT WE ALL  
24 SHOULD ENJOY THE SAME RIGHTS. AND OBLIGATIONS. AND THEREFORE I  
25 BELIEVE IT'S APPROPRIATE FOR US TO JOIN IN THIS LAWSUIT. AND I



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1 AM VERY, VERY DISAPPOINTED THAT IN MY DISTRICT THAT  
2 PROPOSITION 8 PASSED, PARTICULARLY IN VIEW OF CIRCUMSTANCE OF  
3 SO MANY PEOPLE IN THAT DISTRICT, AND PARTICULARLY AS IT  
4 RELATES TO THE NEED TO REACH OUT TO PEOPLE AND TO UNDERSTAND  
5 AND TO MAKE SURE THAT THERE IS THE KIND OF HEALTHCARE -- WE  
6 PROBABLY HAVE THE HIGHEST INCIDENCE OF H.I.V. IN THE COUNTY.  
7 AND IT IS VERY UNFORTUNATE THAT WE WOULD TAKE A POSITION THAT  
8 DOES NOT RECOGNIZE THE RIGHTS OF PEOPLE. PARTICULARLY SINCE I  
9 BELIEVE IN THE SECOND DISTRICT IT'S ONE WHERE PEOPLE HAVE  
10 ALWAYS STOOD UP FOR CIVIL RIGHTS AND EQUAL PROTECTION. SO,  
11 WITHOUT OBJECTION, SO ORDERED.

12

13 **SUP. MOLINA:** THANK YOU SO MUCH. ALL RIGHT. [ APPLAUSE ]

14

15 **SUP. MOLINA:** CONGRATULATIONS. THANK YOU. THANK YOU SO MUCH FOR  
16 JOINING US TODAY.

17

18 **SUP. YAROSLAVSKY:** DO YOU WANT TO TAKE UP THE DISCUSSION ITEMS?

19

20 **SUP. MOLINA:** I WAS JUST GOING TO AMEND ITEM 11 SO WE CAN GET  
21 IT OUT OF THE WAY. I HAVE A MOTION THAT I WANT TO PASS OUT. IT  
22 VERY SIMPLY IS ASKING, WHILE THIS IS AN IMPORTANT FRANCHISE,  
23 AT THE SAME TIME, WE HAVE A RESPONSIBILITY TO DEAL WITH MANY  
24 OF THE ISSUES WITHIN OUR OWN COMMUNITY AND SOMETIMES SOUTHERN  
25 CALIFORNIA EDISON HAS NOT BEEN AS CORDIAL AS THEY SHOULD BE.



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1 I'M ASKING THAT THE C.E.O., ALONG WITH THE DEPARTMENT OF  
2 PUBLIC WORKS, THE AUDITOR-CONTROLLER AND THE COUNTY COUNSEL  
3 ESTABLISH A WORKING GROUP TO PROVIDE COMMENTS AND A TIMELY  
4 REVIEW OF ISSUES OF IMPORTANCE TO THE COUNTY INCLUDING BUT NOT  
5 LIMITED TO GRAFFITI REMOVAL REQUIREMENTS, POLE REPLACEMENT  
6 CREDITS, ACCESS TO POLES FOR PLACEMENT OF BANNERS, CHRISTMAS  
7 LIGHTS, DECORATIVE BASKETS AND LAW ENFORCEMENT CAMERAS AS WELL  
8 AS ANNUAL REPORTS AND AUDITS TO BE INCORPORATED IN THIS NEW  
9 FRANCHISE. SO THAT'S MY MOTION TO AMEND THIS ITEM.

10

11 **SUP. BURKE, CHAIR:** MOVED BY MOLINA, SECONDED BY YAROSLAVSKY,  
12 SO ORDERED.

13

14 **SUP. YAROSLAVSKY:** COULD I JUST AS A QUESTIONS? COULD I JUST  
15 ASK A QUESTION BEFORE WE APPROVE THAT? I HAVE NO PROBLEM WITH  
16 THE MOTION, WITH THE AMENDMENT. ARE THEY REQUESTING A LONGER-  
17 TERM FRANCHISE?

18

19 **SUP. MOLINA:** THIS IS ITEM NUMBER 11, SOUTHERN CALIFORNIA  
20 EDISON FRANCHISE AGREEMENT.

21

22 **SUP. YAROSLAVSKY:** YES. THIS IS EXTENDING IT FOR A YEAR,  
23 CORRECT?

24



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1   **C.E.O. FUJIOKA:** FOR RIGHT NOW IT'S JUST ONE YEAR. THEY'RE  
2   GOING TO ASK FOR A MUCH LONGER ONE I THINK, ONCE WE GO THROUGH  
3   ALL THE NECESSARY DISCUSSIONS AND STEPS, THEY ARE GOING TO ASK  
4   FOR A MUCH LONGER TERM. THIS PROVIDES A ONE-YEAR EXTENSION TO  
5   ALLOW US TO CONTINUE THOSE DISCUSSIONS.

6

7   **SUP. YAROSLAVSKY:** COULD I JUST ASK SUPERVISOR MOLINA IF I  
8   COULD JUST ADD TO YOUR LIST OF THINGS TO BE INCLUDED IN THE  
9   DISCUSSION, TO BE UNDERGROUNDING OF POWER LINES OR OTHER  
10  MITIGATION MEASURES THAT WOULD MITIGATE THE FIRE HAZARDS AND  
11  FIRE HAZARD AREAS OF THE COUNTY?

12

13  **SUP. MOLINA:** NOT A PROBLEM.

14

15  **SUP. BURKE, CHAIR:** OKAY.

16

17  **C.E.O. FUJIOKA:** THAT'D BE GREAT.

18

19  **SUP. BURKE, CHAIR:** WITHOUT OBJECTION, SO ORDERED.

20

21  **SUP. MOLINA:** AND YOU WANTED TO TAKE UP ITEM --

22

23  **SUP. YAROSLAVSKY:** 64, I THINK.

24

25  **SUP. MOLINA:** 64.



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1

2 **SUP. YAROSLAVSKY:** ARE THE SHERIFF'S PEOPLE HERE ON THAT?  
3 IDENTIFY YOURSELVES, OKAY, FOR THE RECORD.

4

5 **DAN SCOTT:** DAN SCOTT. I'M A SERGEANT WITH LOS ANGELES  
6 SHERIFF'S DEPARTMENT, SPECIAL VICTIMS BUREAU, DETECTIVE  
7 DIVISION.

8

9 **SUP. BURKE, CHAIR:** ALL RIGHT. WOULD YOU MAKE YOUR STATEMENT  
10 AND THEN WHEN WE HEAR FROM YOU WE CAN JUST HAVE YOUR NAME.

11

12 **SUP. YAROSLAVSKY:** CAN YOU ASK HIM TO IDENTIFY THEMSELVES.

13

14 **SUP. BURKE, CHAIR:** LET'S NOT CONFUSE THE --

15

16 **SUP. YAROSLAVSKY:** I WANT TO KNOW, FOR THE RECORD, YOUR NAME.

17

18 **EARL SHIELDS:** I'M COMMANDER EARL SHIELDS, L.A. COUNTY  
19 SHERIFF'S DEPARTMENT, TECHNICAL SERVICE DIVISION.

20

21 **SUP. BURKE, CHAIR:** WHO IS SPEAKING FIRST?

22

23 **EARL SHIELDS:** HELLO, SUPERVISORS. I APPEARED BEFORE YOUR BOARD  
24 ON OCTOBER 7TH TO DISCUSS ON A GRANT ISSUE AND WAS ASKED  
25 SEVERAL QUESTIONS REGARDING SEXUAL ASSAULT KITS. AND THERE WAS



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1 A MOTION THAT WAS PASSED BY THE BOARD TO ASK US TO GO BACK AND  
2 TAKE A LOOK AND DETERMINE A PLAN TO INVENTORY THE ITEMS, THE  
3 SEXUAL ASSAULT KIT ITEMS BEING HELD AT THE SHERIFF'S  
4 DEPARTMENT CENTRAL PROPERTY AND EVIDENCE UNIT AND DETERMINE  
5 THE NUMBER OF UNTESTED SEXUAL ASSAULT KITS AND ALSO DISCUSS  
6 LONG-TERM STRATEGY FOR AUTOMATING THE CURRENT FILE KEEPING  
7 PROCESS RELATED TO SEXUAL ASSAULT KITS. WELL WE HAVE COMPLIED  
8 WITH THAT. WE HAVE SENT A LETTER BACK AND I WANTED TO TALK A  
9 LITTLE BIT ABOUT THAT LETTER. AND WHAT WE'VE DONE IS WE'VE  
10 ACTUALLY GONE BEYOND WHAT WAS REQUESTED OF US HERE, AND THE  
11 SHERIFF HAS MADE SOME DIRECTION IN THIS MATTER. AND WE'VE  
12 DEVELOPED A 3-PHASE PROCESS, THE FIRST PHASE OF WHICH HAS BEEN  
13 COMPLETED, WE'RE IN THE MIDST OF THE SECOND PHASE. AND THE  
14 FIRST PHASE WAS AN ACTUAL PHYSICAL COUNT OF EVERY SINGLE  
15 SEXUAL ASSAULT KIT BEING HELD IN CENTRAL PROPERTY AND EVIDENCE  
16 UNIT. THAT HAS BEEN COMPLETED AS OF THE END OF LAST WEEK AND  
17 THAT NUMBER IS 5,635 SEXUAL ASSAULT KITS.

18

19 **SUP. YAROSLAVSKY:** THESE ARE 5,653 SEXUAL ASSAULT --

20

21 **EARL SHIELDS:** 5,635 SEXUAL ASSAULT KITS.

22

23 **SUP. YAROSLAVSKY:** THAT HAVE NOT BEEN TESTED?

24

25 **EARL SHIELDS.** NO.



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1

2 >>SUP. YAROSLAVSKY: DO YOU KNOW WHETHER OR NOT THEY'VE BEEN  
3 TESTED? OR NOT?

4

5 **EARL SHIELDS:** NOT THAT'S THE NEXT PHASE. LET ME MOVE ON. THAT  
6 IS JUST THE TOTAL RAW NUMBER OF SEXUAL ASSAULT KIDS THAT ARE  
7 AT THE CENTRAL AND PROPERTY EVIDENCE UNIT. WE ARE NOW IN THE  
8 MIDST OF PHASE II OF THIS PLAN. PHASE II IS TO TAKE THE  
9 INFORMATION GATHERED FROM ALL OF THOSE KITS, BECAUSE WE DID  
10 COLLECT A LOT OF INFORMATION ON EACH OF THOSE KITS, PUT IT  
11 INTO A SMALL DATABASE. WE ARE NOW MANUALLY COMPARING THAT  
12 INFORMATION AGAINST THE DATABASE OF KITS THAT HAVE BEEN TESTED  
13 THAT'S MAINTAINED AT THE CRIME LAB. AND ONCE WE'VE COMPLETED  
14 THAT, WHICH WE EXPECT TO DO BY THE END OF NEXT WEEK, WE WILL  
15 HAVE THE DIFFERENCE BETWEEN THOSE, THE TOTAL NUMBER OF KITS  
16 AND THE ONES THAT ARE TESTED OUT OF THOSE NUMBER OF KITS WILL  
17 BE THE ONES THAT ARE UNTESTED. PHASE III OF THIS PLAN IS THEN  
18 TO TAKE ALL OF THE UNTESTED KITS AND CONTACT EVERY AGENCY AND  
19 EVERY INVESTIGATOR ON EACH OF THOSE KITS AND DETERMINE THE  
20 CURRENT STATUS OF THAT CASE TO ALLOW THE LAB TO PRIORITIZE THE  
21 TESTING OF THOSE CASES BECAUSE AS WE SPEAK, THE SHERIFF HAS  
22 DIRECTED THAT EVERY UNEXAMINED SEXUAL ASSAULT KIT IN CENTRAL  
23 PROPERTY AND EVIDENCE SHALL BE EXAMINED AND EVERY SEXUAL  
24 ASSAULT KIT THAT COMES IN, THAT IS TAKEN NOW, WILL ALSO BE  
25 EXAMINED. AND THERE IS -- THE SHERIFF HAS DIRECTED POLICY BE





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1 WRITTEN, THAT POLICY HAS BEEN WRITTEN, IT HAS BEEN APPROVED,  
2 IT'S IN EFFECT THAT EVERY SEXUAL ASSAULT KIT THAT IS COLLECTED  
3 AND SENT TO -- SHALL BE DELIVERED TO THE LAB POST-HASTE AND  
4 THAT EVERY KIT SHALL BE PLACED IN THE QUEUE TO BE EXAMINED.

5

6 **SUP. YAROSLAVSKY:** OKAY. SO LET ME UNDERSTAND. YOU HAVE 5,635  
7 SEXUAL ASSAULT KITS THAT YOU'VE IDENTIFIED AT CENTRAL PROPERTY  
8 THAT ARE THERE.

9

10 **EARL SHIELDS:** CORRECT.

11

12 **SUP. YAROSLAVSKY:** BY THE WAY, THANK YOU FOR GETTING TO THAT AS  
13 QUICKLY AS YOU DID. NONE OF US THOUGHT, INCLUDING YOURSELVES,  
14 I SUSPECT, THAT YOU WERE GOING TO BE ABLE TO DO THAT AS  
15 QUICKLY AS YOU DID. SO APPRECIATE -- I'VE BEEN TOLD BY MY  
16 STAFF HOW YOU DID IT. AND AT LEAST NOW WE KNOW WHAT THE OUTER  
17 LIMITS OF THE CHALLENGE IS THAT WE HAVE. YOUR SECOND PHASE,  
18 YOU SAY, IS GOING TO BE TO DETERMINE OF THOSE 5,635, HOW MANY  
19 HAVE BEEN TESTED AND HOW MANY HAVE NOT.

20

21 **EARL SHIELDS:** THAT IS CORRECT.

22

23 **SUP. YAROSLAVSKY:** AS A LAYMAN HERE, MY GUESS WOULD BE THAT THE  
24 MAJORITY IF NOT THE OVERWHELMING MAJORITY OF THESE 5,600 KITS



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1 HAVE NOT BEEN TESTED, I WOULD SUSPECT. WOULD THAT BE YOUR  
2 GUESS?

3

4 **EARL SHIELDS:** I WOULD BE VERY HESITANT TO SAY A NUMBER AT THIS  
5 POINT. I REALLY DON'T KNOW. WE ARE CONDUCTING AN AUDIT AS WE  
6 SPEAK RIGHT NOW, AN AUDIT COMPARING THOSE TESTED CASES THAT WE  
7 KNOW HAVE BEEN TESTED AGAINST THE INFORMATION GATHERED.

8

9 **SUP. YAROSLAVSKY:** OKAY. HOW FAR BACK DO THESE 5,635 KITS GO?

10

11 **EARL SHIELDS:** ACTUALLY, I HAVE NOT SEEN THE RAW INFORMATION ON  
12 THAT YET, SO I DON'T KNOW.

13

14 **SUP. YAROSLAVSKY:** IT COULD BE AS FAR BACK AS -- WOULD IT BE  
15 TWO, THREE OR FOUR YEARS OR COULD IT BE 10 OR 15 YEARS?

16

17 **EARL SHIELDS:** POTENTIALLY, YES, IT COULD.

18

19 **SUP. YAROSLAVSKY:** OKAY. IN THE LAST THREE OR FOUR YEARS, JUST  
20 LOOKING AT A MEMORANDUM HERE THAT I BELIEVE, OUR INFORMATION  
21 IS THAT IN 2005, THE NUMBER OF SEXUAL ASSAULT CASES EXAMINED  
22 WAS 210. IN '06, IT WAS 197. THEN IN 2007 IT WAS 158. AND YEAR  
23 TO DATE IN 2008, WHICH IS ALMOST DONE, 231. SO THERE ARE ABOUT  
24 700 THERE IN THE LAST FOUR YEARS THAT HAVE BEEN APPROXIMATELY  
25 HAVE BEEN TESTED. ANYWAY, THAT'S WHY I GOT THE IMPRESSION



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1 THAT, IF YOU HAVE 5,635 KITS, THAT IS NOT INCLUSIVE OF THESE  
2 700, CORRECT, THAT YOU'VE TESTED?

3

4 **EARL SHIELDS:** NO, I WOULD IMAGINE THAT THOSE 700 VERY LIKELY  
5 ARE INCLUDED IN THAT.

6

7 **SUP. YAROSLAVSKY:** WERE THOSE 700 IN THE CENTRAL PROPERTY  
8 WAREHOUSE?

9

10 **EARL SHIELDS:** WELL, THE ONLY PLACE THAT WE STORE THOSE ARE  
11 EITHER A SMALL NUMBER AT THE LAB.

12

13 **SUP. YAROSLAVSKY:** AFTER YOU TEST THEM, YOU SEND THEM TO  
14 CENTRAL PROPERTY?

15

16 **EARL SHIELDS:** CORRECT. THAT'S THE ONLY STORAGE AREA THAT WE  
17 USE FOR THOSE.

18

19 **SUP. YAROSLAVSKY:** OKAY. I GOT IT. ALL RIGHT. SO YOU'RE GOING  
20 TO DETERMINE HOW MUCH OF THAT IS -- HOW LONG DO YOU THINK IT'S  
21 GOING TO BE BEFORE YOU'LL DETERMINE HOW MANY OF THE 5,635 HAVE  
22 NOT BEEN TESTED?

23

24 **EARL SHIELDS:** WE EXPECT TO HAVE THAT NUMBER THAT NUMBER NO  
25 LATER THAN BY THE END OF NEXT WEEK.



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1

2 **SUP. YAROSLAVSKY:** OKAY.

3

4 **EARL SHIELDS:** AGAIN, WE'LL HAVE THAT NUMBER. AND AGAIN, THE  
5 SHERIFF HAS DIRECTED THAT ALL THOSE KITS WILL GO IN THE QUEUE  
6 TO BE EXAMINED. HOWEVER, WHAT WE NEED TO DO, AS I SAID, THE  
7 PHASE III, WE'LL BE CONTACTING ALL THE AGENCIES AND  
8 INVESTIGATORS RELATED TO THOSE CASES TO FIND THE CURRENT  
9 STATUS OF THOSE CASES SO WE CAN PRIORITIZE THEM, FIND OUT WHAT  
10 ARE THE MOST URGENT ONES TO BE TESTED.

11

12 **SUP. YAROSLAVSKY:** RIGHT, AND THAT MAKES SENSE, AND ALSO TO  
13 PRIORITIZE THEM BASED ON HOW CLOSE THEY ARE, IF THEY ARE  
14 CLOSE, TO RUNNING UP AGAINST THAT STATUTE OF LIMITATIONS.

15

16 **EARL SHIELDS:** THAT IS CORRECT.

17

18 **SUP. YAROSLAVSKY:** I GUESS YOU JUST -- YOU'LL DO A TRIAGE  
19 OPERATION TO DETERMINE.

20

21 **EARL SHIELDS:** CORRECT. AGAIN, WE'RE GOING TO DEVELOP A PLAN ON  
22 HOW BEST TO ADDRESS TESTING ALL OF THESE UNTESTED KITS AS WELL  
23 AS THE NEW KITS THAT ARE COMING IN NOW THAT WE'VE BEEN CHARGED  
24 WITH TESTING, EXAMINING EVERY KIT. AND WE WILL DEVELOP A PLAN  
25 AND MAKE A DETERMINATION BASED ON WHATEVER THAT NUMBER COMES



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1 OUT TO BE AS HOW WE WILL ADDRESS THAT IN THE MOST EXPEDITIOUS  
2 MANNER.

3

4 **SUP. BURKE, CHAIR:** MAY I JUST ASK A QUESTION?

5

6 **SUP. YAROSLAVSKY:** I HAVE ONE MORE -- YEAH, GO AHEAD.

7

8 **SUP. BURKE, CHAIR:** AFTER YOU'VE TESTED THEM, DO YOU TURN OVER  
9 TO ANY NATIONAL DATABASE THE D.N.A. THAT YOU'VE IDENTIFIED IF  
10 IT'S A FORCEFUL RAPE?

11

12 **EARL SHIELDS:** I MEAN, IF IT'S RELATED TO A CRIME AND THERE'S A  
13 PROFILE THAT'S TAKEN FROM THE KIT, YES, IT WILL END UP GOING  
14 INTO THE DATABASE, THE NATIONAL DATABASE, WHICH IS CODIS,  
15 RIGHT?

16

17 **SUP. BURKE, CHAIR:** SO YOU WOULD PUT ALL OF THOSE THAT HAVE  
18 BEEN TESTED AND YOU'VE BEEN ABLE TO IDENTIFY THE D.N.A. FROM  
19 THE TEST, THOSE HAVE ALREADY GONE INTO THE NATIONAL DATABASE,  
20 OR WILL THEY GO IN AFTER AT SOME TIME IN THE FUTURE?

21

22 **EARL SHIELDS:** IF THEY'VE BEEN TESTED ALREADY, THEY'VE BEEN  
23 ENTERED INTO THE THE DATA -- THE NATIONAL DATABASE CONSISTS OF  
24 TWO PARTS. THERE'S AN OFFENDER DATABASE AND THERE'S A FORENSIC  
25 SIDE OF THE DATABASE WHICH ARE THE UNKNOWNNS THAT YOU'VE



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1 GATHERED FROM CRIME SCENES. THE OFFENDER DATABASE ARE THE  
2 KNOWN, THE SAMPLES THAT YOU'VE TAKEN FROM PEOPLE SUCH AS FROM  
3 PROP 69 WHERE YOU TAKE A SWAB AND IT'S TESTED AND THEIR  
4 PROFILE GOES IN. SO WHEN YOU HAVE AN UNKNOWN THAT'S PROFILED,  
5 THAT'S DEVELOPED FROM EVIDENCE AT A CRIME SCENE, THEN THAT  
6 GETS ENTERED INTO THE FORENSIC SIDE. AND WHAT THEY DO IS THEY  
7 COMPARE THE FORENSIC SIDE TO THE OFFENDER SIDE TO SEE IF  
8 THERE'S ANY MATCHES. WHEN THEY HAVE A MATCH, THAT'S CALLED A  
9 COLD HIT.

10

11 **SUP. BURKE, CHAIR:** BUT WHAT I'M GETTING AT, IS ON YOUR  
12 FORENSIC SIDE, AFTER YOU HAVE TESTED THESE KITS, DO THOSE GO  
13 INTO THE NATIONAL DATABASE, OR DO YOU GO IN AND COMPARE HERE  
14 ONLY, OR DO YOU PUT THEM INTO THE NATIONAL DATABASE?

15

16 **EARL SHIELDS:** NO, NO, THEY GO INTO -- THE WAY I UNDERSTAND IT  
17 IS THAT IT'S ENTERED IN AT A LOCAL LEVEL AND THEN ALL THAT  
18 INFORMATION IS TRANSFERRED TO A STATE LEVEL AND THE STATE  
19 INFORMATION IS TRANSFERRED TO A FEDERAL LEVEL, SO IT'S  
20 COMPARED AT EACH STEP ALONG THE WAY. BY THE WAY, I'D LIKE TO  
21 MENTION, TOO, AS PART OF THAT, WE'RE ALSO PREPARING A LETTER  
22 TO GO OUT TO ALL THE INDEPENDENT POLICE AGENCIES IN THE COUNTY  
23 TO ADVISE THEM OF THE CHANGE IN POLICY, SO THAT THEY WILL BE -  
24 - BECAUSE THEY WILL BE PART OF THIS AS WELL, SO WE'RE  
25 INCORPORATING THEM INTO THIS.



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1

2 **SUP. YAROSLAVSKY:** I WANTED TO ASK YOU ABOUT THE POLICY,  
3 BECAUSE I HAVE IN MY HOT LITTLE HANDS WHAT I THINK YOU GAVE  
4 US, THE POLICY DATED NOVEMBER 6TH, WHICH IS THE NEW POLICY.

5

6 **EARL SHIELDS:** THAT IS CORRECT.

7

8 **SUP. YAROSLAVSKY:** AND I'M LOOKING AT -- I UNDERSTOOD THAT THE  
9 POLICY WAS GOING TO BE THAT ONCE ACCEPTED BY THE COURIER, ONCE  
10 THE RAPE, THE SEXUAL ASSAULT KIT IS ACCEPTED BY THE COURIER,  
11 THAT THE SCIENTIFIC SERVICES BUREAU SHALL ASSUME FULL CONTROL  
12 OVER THE SEXUAL ASSAULT KIT AND IT WILL BE PLACED IN THE QUEUE  
13 TO BE TESTED. I THINK YOU SAID THAT JUST A MOMENT AGO VERBALLY  
14 HERE. IT WOULD BE PLACED IN THE QUEUE TO BE TESTED.

15

16 **EARL SHIELDS:** THAT IS CORRECT.

17

18 **SUP. YAROSLAVSKY:** THE WRITTEN POLICY THAT I HAVE FROM NOVEMBER  
19 6TH DOESN'T SAY THAT. IT STOPS SHORT OF THAT. IT SAYS ONCE  
20 ACCEPTED BY THE COURIER, THE SCIENTIFIC SERVICES BUREAU SHALL  
21 ASSUME FULL CONTROL OVER THE SEXUAL ASSAULT KIT, PERIOD. AND  
22 IT DOESN'T SAY IT WILL BE PLACED IN THE QUEUE TO BE TESTED.

23

24 **EARL SHIELDS:** RIGHT, AND THAT WAS DISCUSSED WITH ME EARLIER  
25 TODAY. THE SHERIFF'S DIRECTION ON THIS IS VERY CLEAR, THAT





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1 EVERY KIT WILL BE EXAMINED. AND SO WE WILL BE ADDRESSING THAT.  
2 THE PURPOSE OF THIS WAS, AS WAS DISCUSSED AT THE OCTOBER 7TH  
3 MEETING, THERE WAS SOME QUESTION ABOUT HAVING -- LEAVING THE  
4 TESTING OF THESE KITS TO THE DISCRETION OF THE INVESTIGATOR.  
5 THE POINT OF THIS POLICY WAS TO SAY, ALL RIGHT, THAT IS NO  
6 LONGER THE CASE, IT IS NOT AT THE DISCRETION OF THE  
7 INVESTIGATOR, THOSE KITS ARE NOW UNDER THE COMPLETE CONTROL OF  
8 THE LAB. AND THE SHERIFF'S DIRECTION TO THE LAB IS THAT EVERY  
9 KIT WILL BE TESTED. WE WILL -- THIS HAS BEEN BROUGHT TO ME  
10 THAT THIS IS NOT IN THIS POLICY, WE WILL BE --

11

12 **SUP. YAROSLAVSKY:** CAN I MAKE A SUGGESTION?

13

14 **EARL SHIELDS:** YES.

15

16 **SUP. YAROSLAVSKY:** I TRUST YOU. YOU'VE DEMONSTRATED YOUR TRUST  
17 TO ME IN THE LAST MONTH, YOU'VE DONE BEYOND WHAT WE THOUGHT  
18 YOU WOULD BE CAPABLE OF DOING GIVEN THE TASK. SO I BELIEVE YOU  
19 WHEN YOU TELL ME THAT. BUT YOU'RE GOING TO BE PROMOTED TO  
20 SOMETHING ELSE SOME TIME IN THE FUTURE AND HE'S GOING TO  
21 BECOME A LIEUTENANT AND YOU'LL ALL BE OFF DOING SOMETHING  
22 ELSE. AND THE NEXT GUY COMING IN HERE WILL NOT HAVE THE  
23 BENEFIT OF THIS DISCUSSION AND ALL HE'LL HAVE IS THIS  
24 DOCUMENT. AND I THINK IF THAT'S WHAT YOU MEAN, THAT'S WHAT YOU  
25 OUGHT TO SAY. AND I WOULD JUST ADD THAT CLAUSE IN THERE, JUST



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1 -- I DON'T WANT TO -- CAN'T TELL THE SHERIFF WHAT TO DO. BUT  
2 MY SUGGESTION WOULD BE THAT, AND THIS IS COMING FROM HIM, AND  
3 I THINK WE OUGHT TO RECOGNIZE THAT SHERIFF BACA HAS TAKEN THE  
4 BULL BY THE HORNS HERE IN TRYING TO GET AHEAD OF THE CURVE,  
5 AND I APPRECIATE THAT AND RESPECT THAT TREMENDOUSLY. I WOULD  
6 JUST SUGGEST, IN THE SPIRIT OF CONSTRUCTIVE SUGGESTION, THAT  
7 THAT CLAUSE BE ADDED INTO THE POLICY SO THAT IT'S THERE,  
8 EVERYBODY KNOWS IT'S NOT AMBIGUOUS, NOBODY HAS TO ARGUE WHAT  
9 YOU MEANT, WHAT I MEANT, WHAT HE MEANT, ET CETERA, OKAY? SO  
10 JUST TAKE THAT UNDER ADVISEMENT, I'D APPRECIATE THAT. LAST  
11 QUESTION I HAVE IS THE NOTIFICATION OF PROVISIONS OF THE LAW.  
12 I UNDERSTAND THAT THE STATE LAW REQUIRES THAT WHEN YOU DON'T  
13 TEST A KIT, I MAY HAVE THIS A LITTLE WRONG, BUT WHEN YOU DON'T  
14 TEST A KIT, YOU'RE SUPPOSED TO NOTIFY THE VICTIM AND ADVISE  
15 HER OR HIM, IF THERE IS A HIM IN THIS CASE, THAT THE TESTING  
16 FOR WHICH THEY WERE SUBJECTED TO A RATHER UNCOMFORTABLE SERIES  
17 OF TESTS THEMSELVES HAS NOT BEEN CONDUCTED. IT'S DONE, I  
18 ASSUME, TO ALLOW THE VICTIM OF A SEXUAL ASSAULT TO KNOW THAT  
19 THEIR VICTIM IS STILL AT LARGE, THAT THE TESTING THAT WAS DONE  
20 DID NOT PRODUCE ANY RESULTS OR WHAT HAVE YOU. CAN YOU TELL ME,  
21 YOU PROBABLY CAN'T BASED ON WHAT YOU SAID EARLIER, BUT IF YOU  
22 CAN'T OR YOU'RE GOING TO TRY TO ASCERTAIN WHETHER ANY OF THESE  
23 5,635 VICTIMS WHO WERE TESTED HAVE BEEN NOTIFIED THAT THEIR  
24 TEST KITS ARE IN CENTRAL STORAGE AND THAT NOTHING EVER CAME OF  
25 IT, IF THEY HAD BEEN PREVIOUSLY TOLD, IN WHICH CASE, FINE, IF



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1 THEY HAVEN'T BEEN TOLD, IS ONE OF YOUR OBJECTIVES TO NOTIFY  
2 THEM NOW?

3

4 **EARL SHIELDS:** YOU'RE REFERRING TO 680 OF THE PENAL CODE, WHICH  
5 IS THE D.N.A. VICTIM'S BILL OF RIGHTS. AND THERE IS SHERIFF'S  
6 DEPARTMENT POLICY ON THAT. THERE'S A FIELD OPS DIRECTIVE,  
7 0507, WHICH DIRECTLY ADDRESSES THE SEXUAL ASSAULT VICTIM'S  
8 BILL OF RIGHTS, AND IN THAT IT DOES SPECIFICALLY DEAL WITH  
9 WHAT YOU'RE DISCUSSING THERE. THE QUESTION WAS ASKED, IS DO WE  
10 CENTRALLY KEEP RECORDS ON HOW MANY -- FIRST LET ME CLARIFY  
11 THAT. THAT NOTIFICATION ONLY APPLIES IF THE SUSPECT'S IDENTITY  
12 IS IN QUESTION.

13

14 **SUP. YAROSLAVSKY:** OKAY.

15

16 **EARL SHIELDS:** OKAY? SOMEONE ASKED, IS THERE ANY CENTRALIZED  
17 RECORD KEEPING ON THAT, ON THESE TYPES OF NOTIFICATIONS. AND  
18 THE ANSWER TO THAT IS, NO, THERE IS NOT. WHAT WE HAVE DONE IS  
19 WE HAVE DONE SOME EXAMINATION OF THAT POLICY IN LIGHT OF THIS,  
20 BECAUSE WE HAVE RECOGNIZED THAT. AND WHAT WE ARE LOOKING AT  
21 NOW IS INCORPORATING THAT INTO THE ANNUAL COMMAND INSPECTION  
22 PROCEDURE OF EACH STATION, EVERY STATION RECEIVES AN ANNUAL  
23 COMMAND INSPECTION WHERE VARIOUS FUNCTIONS OF THE STATION ARE  
24 LOOKED AT AND DOCUMENTED. AND WE ARE NOW LOOKING AT  
25 INCORPORATING THAT SPECIFIC PART OF THAT INTO EVERY STATION



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1 AND EVERY UNIT THAT DOES THOSE TYPES OF CASES WHERE WE WOULD  
2 BE LOOKING AT HOW MANY OF THOSE TYPES OF CASES DO THEY HAVE  
3 AND ARE THERE ANY NOTIFICATIONS --

4

5 **SUP. YAROSLAVSKY:** WHEN YOU SAY LOOKING AT HOW MANY CASES THEY  
6 HAVE, YOU MEANS RETROACTIVELY?

7

8 **EARL SHIELDS:** ONES THAT WILL QUALIFY FOR THIS, RIGHT.

9

10 **SUP. YAROSLAVSKY:** GOING FORWARD, OR INCLUDING THE THE ONES  
11 THAT ARE IN THE WAREHOUSE?

12

13 **EARL SHIELDS:** WELL, FOR THIS PURPOSE, IT WOULD BE GOING  
14 FORWARD.

15

16 **SUP. YAROSLAVSKY:** THAT'S FINE. OKAY, I'LL GET TO THAT IN A  
17 SECOND. I'M RIGHT NOW FOCUSED ON THE ONES THAT ARE IN THE  
18 WAREHOUSE.

19

20 **EARL SHIELDS:** WELL, YOU KNOW, OBVIOUSLY WE'LL DO THAT AS PART  
21 OF THE AUDIT THAT WE'RE DOING. WHEN WE'RE CONTACTING THEM,  
22 WE'LL LOOK AT THOSE CASES AND SEE IF THERE ARE ANY COMING  
23 CLOSE TO THAT TWO YEARS AND OBVIOUSLY THOSE WOULD BE  
24 PRIORITIZED. AGAIN, I'M TALKING ABOUT -- IT DOESN'T APPLY IF  
25 THE SUSPECT'S BEEN IDENTIFIED. THERE SHOULD NOT BE ANY CASES



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1 OF UNIDENTIFIED SUSPECTS THAT HAVE NOT BEEN TESTED. I MEAN,  
2 THAT'S WHAT WE'RE HOPEFUL THAT WE'LL FIND. SO WE'RE HOPING  
3 THAT THAT NUMBER WILL BE ZERO. WE WON'T KNOW UNTIL WE'VE  
4 CONDUCTED OUR AUDIT IF THAT IS THE CASE OR NOT. BUT, YES, WE  
5 WILL THEN KNOW ON THOSE CASES WHETHER, YOU KNOW, A  
6 NOTIFICATION WAS -- IF IT'S OVER A CERTAIN AMOUNT OF TIME AND  
7 IT'S AN UNKNOWN ASSAILANT, THEN WE WILL KNOW THAT WE WERE  
8 EITHER IN COMPLIANCE OR NOT IN COMPLIANCE WITH THAT SECTION AT  
9 THAT TIME.

10

11 **SUP. BURKE, CHAIR:** AND YOU WILL TEST THOSE, EVEN IF IT'S  
12 BARRED BY THE STATUTE OF LIMITATIONS.

13

14 **EARL SHIELDS:** THAT'S CORRECT. BUT THE WAY THE STATUTE OF  
15 LIMITATIONS WORKS, THAT'S 803PC WE'RE TALKING ABOUT HERE, WITH  
16 THE STATUTE OF LIMITATIONS. AND IT'S A RATHER CONVOLUTED  
17 SECTION, IF YOU'VE READ IT. BUT MY UNDERSTANDING IS THERE'S A  
18 10-YEAR -- ANY CASE SUBSEQUENT TO 1995, THERE'S A 10-YEAR  
19 STATUTE OF LIMITATIONS. IF THE CASE WAS -- SINCE IN ITS 10-  
20 YEAR STATUTE OF LIMITATIONS, WHAT THAT SECTION ALLOWS FOR THAT  
21 IF A CRIME WAS COMMITTED AFTER 2001 AND YOU TEST THE D.N.A.  
22 WITHIN TWO YEARS OF THE COMMISSION OF THE CRIME, THEN YOU HAVE  
23 AN INDEFINITE AMOUNT OF TIME -- YOU'RE NOT LIMITED TO THE 10  
24 YEARS, IN OTHER WORDS. OKAY, IT MIGHT BE 50 YEARS. YOU HAVE  
25 ONE YEAR TO FILE THAT CASE FROM THE TIME THAT THE PERSON IS



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1 IDENTIFIED. SO YOU HAVE A MINIMUM OF 10 YEARS NO MATTER WHAT,  
2 BUT YOU MAY NOT IDENTIFY THAT PERSON, YOU MAY NOT GET A HIT  
3 FOR 15 YEARS OR 20 YEARS. WELL NOW, IF 20 YEARS SUBSEQUENT TO  
4 THAT YOU GET A HIT AND YOU IDENTIFY THAT SUSPECT, YOU THEN  
5 HAVE ONE YEAR FROM THE TIME THAT THAT IDENTIFICATION IS MADE  
6 TO FILE CHARGES AGAINST THAT PERSON. SO THE STATUTE OF  
7 LIMITATIONS DOESN'T APPLY IN THAT CASE. BUT NO MATTER WHAT --

8

9 **SUP. BURKE, CHAIR:** SO YOU WILL TEST ALL OF THE KITS, EVEN IF  
10 THEY'VE BEEN THERE OVER 10 YEARS.

11

12 **EARL SHIELDS:** THAT IS THE SHERIFF'S WISH, YES.

13

14 **SUP. BURKE, CHAIR:** OKAY.

15

16 **SUP. YAROSLAVSKY:** MADAM CHAIR, THERE ARE A COUPLE PEOPLE WHO  
17 WISH TO BE HEARD, AND I WANT TO GIVE THEM THE OPPORTUNITY.  
18 THEY'VE BEEN WAITING HERE. JUST TO GET THE NEXT STEP HERE FOR  
19 YOU GUYS, YOU THINK BY THE END OF NEXT WEEK?

20

21 **EARL SHIELDS:** WE WOULD HAVE THE NUMBER OF UNTESTED KITS, THAT  
22 IS CORRECT.

23

24 **SUP. YAROSLAVSKY:** AND THE ISSUE OF AUDITING THEM TO DETERMINE  
25 WHETHER THE VICTIMS' BILL OF RIGHTS WAS ADHERED TO, IS THAT



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1 ALSO GOING TO BE RESOLVED BY THE END OF NEXT WEEK, OR IS THAT  
2 A LONGER PROJECT?

3

4 **EARL SHIELDS:** THAT WILL HAVE TO BE INCORPORATED AS PART OF  
5 PHASE III, WHERE WE CONTACT ALL THE INVESTIGATORS TO DETERMINE  
6 THE STATUS OF THE CASES AND THINGS LIKE THAT. SO THAT IS GOING  
7 TO TAKE A PROLONGED PERIOD OF TIME, DEPENDING ON THE NUMBER OF  
8 CASES THAT ARE IDENTIFIED.

9

10 **SUP. YAROSLAVSKY:** AND THE TRIAGING ASPECT OF THIS, USING MY  
11 TERMINOLOGY OF TRIAGING, I THINK YOU KNOW WHAT I MEAN BY THAT  
12 STUFF, IS THAT PHASE II LEADING INTO PHASE III?

13

14 **EARL SHIELDS:** WELL, WE WON'T BE ABLE TO PRIORITIZE THOSE CASES  
15 UNTIL WE GATHER THE INFORMATION FROM PHASE III AND FIND OUT  
16 THE STATUS OF THE CASES SO THAT WE KNOW WHICH ONES WE NEED TO  
17 --

18

19 **SUP. YAROSLAVSKY:** AND DO YOU HAVE ANY IDEA HOW LONG YOU'RE  
20 TALKING ABOUT FOR PHASE III?

21

22 **EARL SHIELDS:** THAT'S A VERY DIFFICULT QUESTION. BECAUSE WE'RE  
23 GOING TO BE DEALING WITH OUTSIDE AGENCIES AS WELL AS OUR OWN  
24 AGENCY. DEPENDING ON THE AGE OF THESE KITS, IT MAY REQUIRE  
25 SOME RESEARCH INTO HISTORICAL RECORDS AND FILES. AND PEOPLE





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1 MAY HAVE RETIRED AND MOVED ON. I SUSPECT -- WE'RE GOING TO TRY  
2 TO DO THIS AS EXPEDITIOUSLY AS WE CAN -- BUT I WOULD SUSPECT  
3 THAT THAT IS GOING TO BE THE MOST TIME-CONSUMING PHASES OF  
4 THESE THREE PHASES, YES, DOING THAT INVESTIGATION AND  
5 RESEARCH.

6

7 **SUP. YAROSLAVSKY:** ALL OF THIS IS MEANINGLESS UNLESS WE GET TO  
8 THAT PHASE.

9

10 **EARL SHIELDS:** RIGHT. AND WE'RE GOING TO DO IT, WE HAVE TO DO  
11 IT. BUT IT'S JUST VERY DIFFICULT WITHOUT KNOWING THE NUMBER OF  
12 CASES AND THE INFORMATION ABOUT THOSE CASES TO HOW LONG THAT'S  
13 GOING TO TAKE, OR WHAT RESOURCES WE'RE GOING TO NEED TO TEST  
14 ALL OF THESE DEPENDING ON WHAT THE NUMBER IS.

15

16 **SUP. YAROSLAVSKY:** OKAY. I WOULD ASK NO YOU PROVIDE US WITH A  
17 STATUS REPORT IN 30 DAYS AND WHERE YOU ARE. I WOULD SAY IN  
18 FOUR WEEKS FROM YESTERDAY, WHAT WOULD THAT BE? DECEMBER WHAT?

19

20 **CLERK SACHI HAMAI:** THAT WOULD BE DECEMBER 9TH.

21

22 **SUP. YAROSLAVSKY:** AND OUR LAST MEETING IS DECEMBER 16TH?

23

24 **CLERK SACHI HAMAI:** CORRECT.

25



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1   **SUP. YAROSLAVSKY:** I WOULD ASK DECEMBER 16TH, GIVE US A STATUS  
2   REPORT ON WHERE YOU ARE, AND IF -- WELL, IF YOU HAVE SOMETHING  
3   TO REPORT THAT IS WORTHY OF HAVING IT BEFORE THE BOARD, WE'LL  
4   DO IT THAT WAY. STATUS REPORT THAT NEEDS MORE TIME, WHICH YOU  
5   MAY NEED, WE'LL DEAL WITH IT THEN. BUT I DO WANT TO KEEP THE  
6   PRESSURE ON TO GET AS MUCH OF THE INFORMATION AS POSSIBLE AS  
7   SOON AS WE CAN, BECAUSE TIME IS RUNNING OUT ON SOME OF THOSE  
8   KITS, I'M SURE, BECAUSE OF THE STATUTE OF LIMITATIONS. AND  
9   AGAIN, I WANT TO THANK YOU AND COMMEND YOU FOR GETTING THIS  
10   DONE AS QUICKLY AS YOU DID TO THIS POINT. NOBODY THOUGHT THAT  
11   WAS GOING TO HAPPEN, AND IT'S -- BAD NEWS IS WE HAVE 5,635  
12   KITS IN THE WAREHOUSE. THE GOOD NEWS IS, WE NOW KNOW WHAT WE  
13   NEED TO DO, AND THAT'S WHAT OUR OBJECTIVE WAS ORIGINALLY, AND  
14   THE SOONER WE CAN DO IT, THE BETTER. I KNOW THERE'S A  
15   FINANCIAL RESOURCE ISSUE. YOU'VE GOT SOME MONEY LEFT FROM THE  
16   FEDERAL FUNDS, I BELIEVE, RIGHT? THAT WAS WHAT PROMPTED THIS  
17   WHOLE THING IN THE FIRST PLACE, IS THE FEDERAL FUNDS, AND  
18   OTHER SOURCES THAT YOU MAY HAVE AVAILABLE TO YOU BASED ON  
19   CONVERSATIONS YOU GUYS HAVE HAD WITH OTHER AGENCIES. SO I  
20   WOULD MOVE, AFTER WE HAVE THE PUBLIC HEARING.

21

22   **SUP. BURKE, CHAIR:** ALL RIGHT. GAIL ABARBANEL AND SARAH TOFTE,  
23   WOULD YOU PLEASE COME FORWARD?

24



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1 **CLERK SACHI HAMAI:** SUPERVISOR, DID YOU WANT A TIME LIMIT ON  
2 THOSE SPEAKERS?

3

4 **SUP. YAROSLAVSKY:** PARDON ME?

5

6 **CLERK SACHI HAMAI:** DID YOU WANT A TIME LIMIT ON THOSE TWO  
7 SPEAKERS?

8

9 **SUP. YAROSLAVSKY:** WELL, THERE ARE TWO OF THEM, RIGHT? I THINK  
10 THEY MAY NEED A LITTLE MORE THAN THREE MINUTES EACH. HOW LONG  
11 DO YOU NEED, GAIL? ONE OF OUR SPEAKERS HAS COME IN FROM OUT OF  
12 TOWN. CORRECT?

13

14 **GAIL ABARBANEL:** I'M FROM THE RAPE TREATMENT CENTER AND SARAH  
15 TOFTE IS FROM THE HUMAN RIGHTS WATCH.

16

17 **SUP. YAROSLAVSKY:** HERE IN L.A.

18

19 **GAIL ABARBANEL:** SHE'S FROM NEW YORK.

20

21 **SUP. YAROSLAVSKY:** NEW YORK, THAT'S WHAT I THOUGHT. YEAH.

22

23 **SUP. BURKE, CHAIR:** SO WE WILL GIVE HER--

24



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1   **SUP. YAROSLAVSKY:** YOU CAME INFROM OUT OF TOWN BUT ONLY SANTA  
2   MONICA.

3

4   **SARAH TOFTE:** I'M FROM IOWA. I LIVE IN NEW YORK. I THINK GAIL  
5   SHOULD GO FIRST.

6

7   **SUP. YAROSLAVSKY:** WE'LL PLAY IT BY EAR.

8

9   **GAIL ABARBANEL:** I'M THE DIRECTOR OF THE RAPE TREATMENT CENTER  
10   AT SANTA MONICA U.C.L.A. MEDICAL CENTER, AND WE REALLY  
11   APPRECIATE THE BOARD OF SUPERVISORS LOOKING INTO THIS ISSUE.  
12   AND WE'RE REALLY HERE TO SUPPORT THE SHERIFF'S DEPARTMENT. AND  
13   I SINCERELY COMMEND THE SHERIFF FOR HOW HE'S TAKEN HOLD OF  
14   THIS ISSUE AND MADE A COMMITMENT GOING FORWARD, TO NOT HAVE  
15   ANY MORE RAPE KITS GO INTO STORAGE. HE'S REALLY SHOWN  
16   LEADERSHIP ON THIS ISSUE, AND HE'S MADE A COMMITMENT TO CHANGE  
17   POLICIES AND IMPLEMENT NEW PROCEDURES AND WE REALLY APPLAUD  
18   HIM FOR THAT. FOR US, THERE ARE TWO ISSUES WITH THESE UNOPENED  
19   RAPE KITS. ONE IS THE RIGHTS OF VICTIMS AND THE OTHER IS  
20   PUBLIC SAFETY. AND EVERY DAY WE SEE NEW VICTIMS AT THE RAPE  
21   TREATMENT CENTER. AND THESE CASES INCLUDE CHILDREN, THEY'RE  
22   NOT JUST ADULTS. AND WE WONDER EVERY DAY, EVERY TIME A NEW  
23   VICTIM COMES INTO THE RAPE TREATMENT CENTER WHETHER THAT  
24   PERSON HAD TO BE RAPED BECAUSE THE D.N.A. IDENTITY OF THAT  
25   RAPIST MAY BE SITTING IN THE STORAGE DEPARTMENT IN THESE



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1 UNOPENED KITS. SO WE FEEL THAT EVERY DAY THAT PASSES THAT WE  
2 DON'T GET TO ADDRESS THIS AND START PROCESSING THESE KITS, YOU  
3 KNOW, REALLY LEAVES PEOPLE AT DANGER AND REALLY LEAVES  
4 DANGEROUS REPEAT OFFENDERS ON THE STREETS OF LOS ANGELES. ALL  
5 THE VICTIMS WE SEE WHEN THEY COME FOR A RAPE EXAM AND THEY GO  
6 THROUGH THIS LONG PROCESS AND THEY CONSENT TO THE COLLECTION  
7 OF EVIDENCE IN A VERY INTIMATE AND PERSONAL WAY, YOU KNOW, WE  
8 COLLECT SWABS FROM EVERY PART OF THEIR BODY, THEY BELIEVE THAT  
9 THESE KITS ARE PROCESSED IMMEDIATELY. THEY HAVE NO IDEA THAT  
10 THEIR KITS MAY NEVER BE OPENED OR MAY NEVER HAVE BEEN OPENED.  
11 THEY LEAVE THE RAPE TREATMENT CENTER, THEY GO IN THE POLICE  
12 CAR, THE RAPE KIT SITS ON THE SEAT NEXT TO THEM AND THEY JUST  
13 ASSUME IT'S BEING TAKEN TO THE CRIME LAB AND PROCESSED. IT'S A  
14 REAL BETRAYAL OF VICTIMS, AND ALSO I THINK OF THE PUBLIC  
15 TRUST, BECAUSE NOW WE HAVE THE CAPACITY TO SOLVE THESE CASES  
16 AND PREVENT RAPES AND WE'RE NOT USING IT TO ITS FULLEST  
17 CAPACITY. WE, WITH THE PARTICIPATION AND COOPERATION OF THE  
18 SHERIFF, BECAUSE OF THIS PROBLEM, FOR THE PAST THREE YEARS,  
19 HAVE HAD AN INNOVATIVE FAST TRACK FORENSICS PROGRAM WHERE WITH  
20 A CERTAIN NUMBER OF CASES THAT WE SEE, WE PROCESS THE EVIDENCE  
21 THE WAY WE ALWAYS DO, WE GIVE IT TO THE SHERIFF TO TAKE TO THE  
22 CRIME LAB OR TO L.A.P.D. BUT IN ADDITION, WE'VE BEEN TAKING  
23 EXTRA SWABS FROM THE MOST LIKELY PLACE OF GETTING D.N.A. AND  
24 FAST TRACKING THEM TO THE STATE LAB. AND IN SOME CASES, WE GET  
25 A COLD HIT IN A WEEK, AND IT FEELS LIKE A MIRACLE. IT SHOULD



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1 BE THAT WAY EVERY DAY IN LOS ANGELES. WE REALLY APPLAUD THIS  
2 POLICY THAT GOING FORWARD EVERY KIT WILL BE OPENED. BUT WE  
3 ALSO, YOU KNOW, PART TWO OF THIS IS HOW LONG WILL IT TAKE?  
4 BECAUSE IT WILL MEAN A TREMENDOUS INCREASE IN THE WORKLOAD OF  
5 THE SHERIFF'S DEPARTMENT. IF NOW GOING FORWARD, NO CASES GO TO  
6 PROPERTY STORAGE AND ALL CASES ARE GOING TO BE PROCESSED, THE  
7 TURNAROUND TIME IS REALLY IMPORTANT. BECAUSE IF IT TAKES 10  
8 MONTHS OR A YEAR AND A HALF TO PROCESS KITS, AND IN SOME LABS  
9 IT CAN TAKE THAT LONG, THEN WE'RE KIND OF RIGHT BACK WHERE WE  
10 STARTED FROM. SO I KNOW THEY'RE GOING TO NEED ADDITIONAL  
11 RESOURCES, THEY HAVE SPACE AND CAPACITY IN THE NEW LAB. BUT I  
12 KNOW THEY'RE GOING TO NEED MORE RESOURCES TO BE ABLE TO DO  
13 THIS AND I THINK THAT'S A REALLY IMPORTANT ISSUE THAT ALSO  
14 WILL NEED TO BE ADDRESSED GOING FORWARD AND MAYBE THAT CAN BE  
15 PART OF WHAT'S CONSIDERED IN DECEMBER. THE OTHER ISSUE ABOUT  
16 VICTIM NOTIFICATION. WE REALLY, IN OUR EXPERIENCE, DON'T THINK  
17 THIS IS BEING DONE. THERE MAY BE A POLICY BUT MANY DETECTIVES  
18 DON'T KNOW ABOUT THE POLICY. AND I KNOW THE SHERIFF, FROM  
19 TALKING TO HIM, KNOWS THIS IS A VERY SENSITIVE ISSUE, HOW DO  
20 YOU TELL A VICTIM, YOU WERE RAPED FIVE YEARS AGO AND YOUR KIT  
21 WAS NEVER OPENED. SO I THINK A LOT OF THOUGHT NEEDS TO BE  
22 GIVEN AS TO HOW THAT PROCESS IS IMPLEMENTED, IF THERE ARE  
23 CASES LIKE THAT TO BE DONE. SO THAT'S OUR -- THOSE ARE OUR  
24 CONTINUING CONCERNS AND ISSUES ABOUT THE PROBLEM. AND SARAH  
25 CAN SPEAK NOW TO THE ISSUE.



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1  
2 **SARAH TOFTE:** WELL, I APPRECIATE THE OPPORTUNITY TO SPEAK TO  
3 THE COUNTY BOARD OF SUPERVISORS. I'M HERE TODAY IN PART  
4 BECAUSE IN MY ROLE AS A SEXUAL VIOLENCE RESEARCHER AT HUMAN  
5 RIGHTS WATCH, I HAVE BEEN LOOKING AT RAPE KIT BACKLOGS ALL  
6 OVER THE COUNTRY. AND TODAY WE HEARD FROM THE SHERIFF'S  
7 DEPARTMENT THAT THEY DO INDEED HAVE A BACKLOG, POSSIBLY 5,600  
8 OR SO UNTESTED RAPE KITS. AND IT WAS IMPORTANT AND WE'RE  
9 REALLY THANKFUL THAT THE SUPERVISORS AND THE L.A.S.D. COUNTED  
10 THOSE KITS. BECAUSE THAT GIVES US A SENSE OF, ON SOME LEVEL,  
11 THE EXTENT OF THE PROBLEM. BUT FOR HUMAN RIGHTS WATCH, THE  
12 NEXT STEPS ARE EQUALLY IMPORTANT IN TERMS OF WHAT KIND OF  
13 COMPREHENSIVE PLAN WILL BE PUT IN PLACE, NOT SIMPLY TO COUNT  
14 THE KITS OR EVEN SIMPLY TO EITHER OUTSOURCE THE KITS OR FIND A  
15 WAY TO TEST THE KITS, BUT MAKING SURE THAT GETTING RID OF THE  
16 RAPE KIT BACKLOG ACTUALLY CAN TRANSLATE INTO MORE  
17 INVESTIGATION OF RAPE CASES IN L.A. COUNTY, MORE ARRESTS AND  
18 PROSECUTIONS AND CONVICTIONS OF RAPISTS. FOR US, OUR  
19 PERSPECTIVE IS WE'VE SEEN DIFFERENT CITIES AND COUNTIES AND  
20 STATES ALL ACROSS THE COUNTRY TACKLE GETTING RID OF TRYING TO  
21 GET RID OF THEIR RAPE KIT BACKLOG, AND WE'VE SEEN WHAT WORKS  
22 AND WHAT DOESN'T WORK. FOR US, NEW YORK CITY IS AN EXAMPLE OF  
23 THAT WORKS. THEY GOT RID OF -- THEY HAD A RAPE KIT BACKLOG OF  
24 ABOUT 17,000 UNTESTED RAPE KITS, AND IN ABOUT FOUR YEARS, THEY  
25 WERE ABLE TO TEST EVERY ONE OF THOSE KITS IN THE BACKLOG,





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1 WHICH ULTIMATELY LED TO 200 CONVICTIONS IN RAPE CASES THAT  
2 THEY WOULDN'T HAVE GOTTEN NECESSARILY IF THEY HAVEN'T TESTED  
3 THOSE KITS. AND THEY IMPLEMENTED A POLICY IN WRITING TO TEST  
4 EVERY BOOKED RAPE KIT ELIMINATING DETECTIVE DISCRETION. WHAT  
5 THEY ALSO DID IS THEY CREATED A SPECIAL PROSECUTORIAL UNIT AND  
6 A SPECIAL INVESTIGATIVE UNIT. BECAUSE IT WASN'T JUST A CRIME  
7 LAB THAT DEALT WITH -- HAD TO DEAL WITH AN INFLUX OF A  
8 WORKLOAD BECAUSE OF A NEW POLICY TO TEST EVERY KIT. BECAUSE  
9 WHAT THEY WERE FINDING IS THEY WERE GETTING SO MANY NEW COLD  
10 HITS, BOTH BECAUSE THEY WERE TESTING EVERY BOOKED RAPE KIT AND  
11 BECAUSE THEY WERE EXPANDING THEIR D.N.A. DATABASE TO INCLUDE  
12 ALL FELONY ARRESTEES AND, IN SOME CASES, MISDEMEANOR  
13 CONVICTIONS AND THINGS LIKE THAT. AND AS THEY EXPANDED THEIR  
14 DATABASE, THEY KEPT GETTING MORE AND MORE HITS. AND SO FOUR  
15 YEARS, OR FIVE YEARS NOW, AFTER THEY ACTUALLY FINISHED TESTING  
16 THEIR BACK LOGS, THEY STILL HAVE A FULL-TIME PROSECUTORIAL  
17 UNIT AND POLICE UNIT THAT IS STILL ONLY INVESTIGATING RAPE  
18 CASES, LEADS THAT HAVE BEEN GENERATED FROM COLD HITS THEY'RE  
19 STILL GETTING FROM PUTTING THE BACKLOG KITS INTO THE D.N.A.  
20 DATABASE. SO I WOULD JUST REALLY ENCOURAGE THE COUNTY BOARD OF  
21 SUPERVISORS TO CONTINUE TO MONITOR THE SITUATION, TO CONTINUE  
22 TO GET UPDATES FROM THE SHERIFF'S DEPARTMENT, NOT JUST ON  
23 THEIR PROGRESS IN TERMS OF TESTING THE KITS, BUT MAKING SURE  
24 EVERY TESTED KIT THAT THAT PROFILE ACTUALLY GETS PUT INTO THE  
25 DATABASE, MAKING SURE THAT THE APPROPRIATE PEOPLE ARE NOTIFIED



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1 ABOUT WHETHER THERE'S BEEN A COLD HIT OR NOT, FIGURING OUT A  
2 WAY TO NOTIFY VICTIMS. BOTH VICTIMS, WHERE IT'S REQUIRED BY  
3 LAW WHERE YOU HAVE TO NOTIFY A VICTIM BECAUSE THE IDENTITY WAS  
4 AN ISSUE AND THE KIT SAT THERE FOR MORE THAN TWO YEARS AND  
5 WASN'T OPENED. BUT THINKING ABOUT BROADER POLICIES, ABOUT  
6 GIVING VICTIMS SOME SORT OF AGENCY THROUGH KNOWLEDGE OF THIS  
7 PROCESS. IT'S BEEN AMAZING TO ME ALL ACROSS THE COUNTRY HOW  
8 LITTLE KNOWLEDGE VICTIMS OFTEN HAVE ABOUT WHERE THEIR CASE IS  
9 AT AND THE STATUS OF THEIR CASE. SO I GUESS OUR MESSAGE HERE  
10 TODAY IS WE'RE SO THANKFUL FOR THE PROGRESS THAT HAS BEEN MADE  
11 SO FAR. AND IT'S A GREAT -- IT CREATES AN OPPORTUNITY TO DO  
12 THE RIGHT THING AND WE HOPE THAT WITH SORT OF A COMPREHENSIVE  
13 PLAN LOOKING AT ALL THESE ISSUES, THAT WE WILL SOON BE ABLE TO  
14 NOT JUST TALK ABOUT NEW YORK CITY BEING A MODEL FOR HOW TO  
15 DEAL WITH THE RAPE KIT BACKLOG, BUT WE WILL BE ABLE TO BE  
16 POINT TO L.A. COUNTY AND THE SHERIFF'S DEPARTMENT AS A NEW  
17 MODEL FOR HOW TO DEAL WITH A RAPE KIT BACKLOG AND HOW TO KEEP  
18 IT ELIMINATED AND HOW TO MAKE SURE THAT EVERY RAPE VICTIM  
19 RECEIVES THE JUSTICE THAT SHE DESERVES WHEN SHE DECIDES TO  
20 REPORT HER CRIME.

21

22 **SUP. YAROSLAVSKY:** THANK YOU. MADAM CHAIR, I WOULD ASK THAT WE  
23 CALENDAR THIS FOR DECEMBER 16TH FOR A STATUS REPORT. AND THANK  
24 YOU BOTH FOR YOUR ASSISTANCE TO MY OFFICE AND MY STAFF ON THIS  
25 ISSUE. WE'LL GET THERE.



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1

2 **GAIL ABARBANEL:** THANK YOU VERY MUCH.

3

4 **SUP. BURKE, CHAIR:** THANK YOU. THE OTHER ITEM THAT -- I'LL DO  
5 MY ADJOURNMENTS AND THEN --

6

7 **SUP. YAROSLAVSKY:** I'LL DO MINE AFTER YOURS.

8

9 **SUP. BURKE, CHAIR:** ALL RIGHT. I HAVE JUST TWO ADJOURNMENTS.  
10 FIRST, ONE FOR SUPERVISOR ANTONOVICH. JANET STURDEVON PASSED  
11 AWAY ON OCTOBER 22ND AT THE AGE OF 84. SHE MOVED TO ANTELOPE  
12 VALLEY IN 1953, WHERE SHE TAUGHT IN ANTELOPE VALLEY JOINT  
13 UNION HIGH SCHOOL DISTRICT FULL TIME. SHE IS SURVIVED BY HER  
14 DAUGHTERS, ELIZABETH STURDEVON, MARGARET SCHAFFER, KATHERINE  
15 STURDEVON, JEANETTE STURDEVON, AND SON, STEVEN. SO ORDERED.  
16 AND I HAVE JUST ONE, GARY BURT, A LONG TIME LOS ANGELES  
17 RESIDENT AND CLASSIC CAR ENTHUSIAST WHO WHO RECENTLY PASSED  
18 AWAY. HE WAS AN ARCHITECT FOR MANY YEARS, BUT AS MOST OF THEM  
19 CLOSE TO HIM KNOW, CAR RESTORATION WAS DEAR TO HIS HEART. HE  
20 LEAVES TO CHERISH HIS MEMORY HIS WIFE, KRISTINE BURT; AND  
21 CHILDREN, AMY AND GEORGE BURT, ALONG WITH A HOST OF FAMILY AND  
22 FRIENDS.

23

24 **SUP. YAROSLAVSKY:** I HAVE ONE ADJOURNING MOTION.

25



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1    **SUP. BURKE, CHAIR:** SO ORDERED. PLEASE DO YOURS.

2

3    **SUP. YAROSLAVSKY:** PAUL SPINDLER, A LONG TIME MEMBER OF THE  
4    BOARD OF PHOENIX HOUSES HERE IN CALIFORNIA WHO PASSED AWAY. HE  
5    WAS A REAL DRIVING FORCE BEHIND PHOENIX HOUSE, WHICH DOES  
6    SUBSTANCE ABUSE REHABILITATION, AND THERE'S A NUMBER OF  
7    FACILITIES IN OUR DISTRICT AND IN OUR COUNTY. I ALSO WOULD  
8    LIKE TO ASK THAT WE ADJOURN IN THE MEMORY OF MIRIAM MAKEBA.

9

10   **SUP. BURKE, CHAIR:** I DID NOT HAVE THAT, BUT I WOULD JOIN IN  
11   THAT.

12

13   **SUP. YAROSLAVSKY:** ALL MEMBERS. SHE WAS A GREAT SINGER AND A  
14   GREAT AMBASSADOR FOR SOUTH AFRICA. SAW HER THE FIRST TIME AT  
15   THE GREEK THEATRE WITH HARRY BELAFONTE, AND SHE WAS SOMETHING.  
16   PASSED AWAY SUDDENLY LAST WEEK. THANK YOU.

17

18   **SUP. BURKE, CHAIR:** THANK YOU.

19

20   **CLERK SACHI HAMAI:** MADAM CHAIR, WE HAVE EITHER THE PUBLIC  
21   HEARING ITEM OR THE SET MATTER.

22

23   **SUP. BURKE, CHAIR:** WE HAVE ITEM, WHAT? 65, RIGHT?

24



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1 **CLERK SACHI HAMAI:** 65 IS THE PUBLIC HEARING ITEM AND I'LL READ  
2 THE SHORT TITLE IN FOR THE RECORD. THIS IS THE HEARING ON  
3 PROPOSED AMENDMENTS TO THE COUNTY CODE TITLE 2 ADMINISTRATION  
4 TO ESTABLISH A DOLLAR FEE FOR THE ELECTRONIC RECORDING OF REAL  
5 PROPERTY DOCUMENTS FOR ALL COSTS ASSOCIATED WITH THE  
6 ELECTRONIC RECORDING DELIVERY SYSTEM AS AUTHORIZED BY AB-578.  
7 I DON'T KNOW THAT THERE IS ANYBODY WHO PLANS TO TESTIFY ON  
8 THIS ITEM. NOBODY HAD SIGNED UP.

9

10 **SUP. BURKE, CHAIR:** I'LL MOVE THAT WE CLOSE THE HEARING AND I  
11 MOVE THAT WE ADOPT THAT ITEM. IT'S SECONDED BY YAROSLAVSKY.  
12 WITHOUT OBJECTION, SO ORDERED.

13

14 **CLERK SACHI HAMAI:** AND LASTLY, WE HAVE THE SET MATTER.

15

16 **SUP. BURKE, CHAIR:** YOU KNOW, ON THE SET MATTER, IN VIEW OF THE  
17 FACT THAT WE DON'T HAVE A REAL -- EVERYONE HERE, I'M GOING TO  
18 MOVE THAT WE CONTINUE THAT FOR ONE WEEK.

19

20 **CLERK SACHI HAMAI:** OKAY.

21

22 **SUP. BURKE, CHAIR:** THEY'RE ALL HERE? OKAY. ALL RIGHT. IS  
23 SUPERVISOR MOLINA HERE? OKAY. ALL RIGHT. OKAY. ALL RIGHT. THEN  
24 I'LL WITHDRAW THAT MOTION, AND WOULD YOU PLEASE COME FORWARD?

25



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1   **SUP. MOLINA:** THERE'S A COUPLE OF CHAIRS OVER HERE ON THE SIDE,  
2   BUT I THINK WE COULD DO OKAY. DR. HALL, PETE. I DON'T KNOW WHO  
3   IS GOING TO START. SCHUNHOFF?

4

5   **DR. JOHN SCHUNHOFF:** LET ME JUST BEGIN VERY QUICKLY.  
6   SUPERVISORS, THE BOARD PASSED A MOTION LAST WEEK BY SUPERVISOR  
7   MOLINA WHICH WAS COMPREHENSIVE IN TERMS OF ASKING US TO  
8   MONITOR THE STATUS OF VARIOUS METRICS AT THE MEDICAL CENTER AT  
9   L.A. COUNTY U.S.C. MEDICAL CENTER FOLLOWING THE MOVE-IN. AND  
10  IT CALLS FOR WRITTEN REPORTS EVERY TWO WEEKS, AND YOU WILL  
11  HAVE THE FIRST WRITTEN REPORT NEXT WEEK. BUT A VERBAL REPORT  
12  EVERY WEEK. AND SO I HAD WANTED THE STAFF, KEY STAFF WHO WERE  
13  INVOLVED IN THE MEDICAL CENTER IN THE MOVE-IN OVER THE WEEKEND  
14  TO COME AND GIVE YOU A VERY BRIEF REPORT TODAY. I REALIZE THAT  
15  YOU HAVE TIME ISSUES, BUT I'D LIKE THEM TO BEGIN THAT. AND WE  
16  HAVE PETE DELGADO, THE C.E.O. WE HAVE IRENE RESENDEZ, THE  
17  CHIEF NURSING OFFICER. DR. STEPHANIE HALL, THE CHIEF MEDICAL  
18  OFFICER. CAROLYN RHEE, WHO WAS THE HEAD OF THE WHOLE  
19  TRANSITION TEAM. AND DR. CINDY STOTTS, WHO IS THE OUTGOING  
20  HEAD OF THE MEDICAL STAFF BUT ALSO KEY TO PUTTING ALL THIS  
21  MOVE TOGETHER. PETE, DO YOU WANT TO START?

22

23  **PETE DELGADO:** SURE. THANK YOU, BOARD OF SUPERVISORS. THANK YOU  
24  FOR ALLOWING US TO GIVE YOU A BRIEF UPDATE. DR. HALL, IRENE  
25  RESENDEZ, CAROLYN RHEE, AND DR. STOTTS WILL GIVE YOU SOME



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1 BRIEF DETAILS ABOUT THE ACTUAL MOVE. BUT BEFORE WE START, I  
2 WANTED TO GIVE YOU SOME HIGHLIGHTS, A LITTLE BACKGROUND. THIS  
3 JOURNEY STARTED ABOUT TWO TO THREE YEARS AGO. THE JOURNEY WAS  
4 TO IMPROVE OUR PROCESSES SO WE CAN GET OUR CENSUS DOWN TO A  
5 SAFE NUMBER. WE ORGANIZED OUR WORK IN TWO MAJOR AREAS. ONE IS  
6 REDESIGNING OUR MAJOR WORK FLOW, AND THEN THE ACTUAL  
7 TRANSITION PLANNING. IN THE REDESIGNING OUR WORK FLOW, WE WERE  
8 ABLE TO REDUCE THE LENGTH OF STAY, THE TURNAROUND TIMES. WE  
9 EVEN WORKED WITH THE COMMUNITY PRIVATE/PUBLIC PARTNERS UNDER  
10 THE CAMINO DEL SALUD PROGRAM TO HELP COORDINATE AND DEVELOP  
11 MEDICAL HOMES IN THE COMMUNITY. WE CAN'T DO THIS ALONE. WE  
12 NEED THE COMMUNITY TO HELP US. SO THREE WEEKS AGO, WE HAD THE  
13 STATE LICENSER COME IN TO SURVEY, TO SEE AND ASSESS WHETHER WE  
14 WERE READY TO MOVE TO A NEW FACILITY. OCTOBER 21ST TO OCTOBER  
15 23RD, THREE DAYS. AFTER THE SECOND DAY, THE STATE LICENSER  
16 SURVEYORS WERE CONVINCED THAT WE WERE VERY MUCH READY. IN  
17 FACT, THEY WERE VERY COMPLIMENTARY. IT'S ALWAYS GOOD TO GET  
18 COMPLIMENTS FROM THE REGULATORY AGENCY. KIND OF GIVES YOU AN  
19 OFFICIAL FEEDBACK ON HOW WELL YOU'RE DOING. SO INSTEAD OF A  
20 THREE-DAY, IT TURNED OUT TO BE A TWO-DAY SURVEY. AND IT ENDED  
21 UP VERY NICELY. THREE DAYS BEFORE WE ACTUALLY MOVED IN, WE HAD  
22 AN UNANNOUNCED JOINT COMMISSION SURVEY. HERE AGAIN, THEY CAME  
23 IN TO SEE IF WE WERE ACTUALLY READY. THEY HAD HEARD WE WERE  
24 READY, BUT THEY WANTED TO MAKE SURE WE WERE READY. AFTER THE  
25 SECOND DAY, THEY WERE VERY IMPRESSED. NOT ONLY WERE WE READY,





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1 BUT THE FOLKS THAT THE SURVEYOR INTERVIEWED KNEW EXACTLY WHAT  
2 THEY WERE GOING TO DO IN THE NEW FACILITY. SO NOW WE'VE GOT  
3 TWO OUTSIDERS, TWO REGULATORS GIVING US POSITIVE FEEDBACK  
4 ABOUT OUR READINESS. NOW LET'S TRANSITION INTO THE ACTUAL  
5 MOVE, AND I'D LIKE FOR DR. HALL TO START.

6

7 **DR. STEPHANIE HALL:** AS PART OF THE PLANNING AND PROCESS TO  
8 APPROACHING MOVE DAY, THE ONE WEEK BEFORE THE MOVE, WE ENTERED  
9 INTO A CENSUS SUPPRESSION PLAN. IT WAS ALL AGREED IN EVERY  
10 HOSPITAL THAT HAS UNDERGONE MAJOR MOVES LIKE THIS HAVE  
11 REASSURED US AND ENCOURAGED US THAT THE NUMBER ONE FACTOR FOR  
12 A SUCCESSFUL OUTCOME FOR A MOVE IS SUPPRESSING CENSUS. OUR  
13 TARGET WAS 400. WE WERE ABLE TO VERY SLOWLY AND METHODICALLY  
14 OVER THE PERIOD OF ONE WEEK GET OUR CENSUS DOWN TO 382 ON THE  
15 DAY OF THE MOVE. THIS IS THANKS TO THE COOPERATION AND HELP OF  
16 EVERY D.H.S. HOSPITAL, THE MEDICAL ALERT CENTER, AND ALL  
17 SURROUNDING FACILITIES THAT PARTICIPATED IN ALLOWING US TO  
18 MOVE PATIENTS THAT DID NOT REQUIRE URGENT OR SPECIALTY CARE  
19 INTO OTHER FACILITIES. THE M.A.C.C. CENTER DURING THAT TIME  
20 TRANSFERRED OVER 30 PATIENTS FROM OUR OUTLYING CLINICS TO  
21 OTHER D.H.S. HOSPITALS. AND IN THE EMERGENCY DEPARTMENT, OVER  
22 30 PATIENTS WERE TRANSFERRED OUT OF THE E.R. THAT WERE STABLE  
23 AND COULD BE HOSPITALIZED AT OTHER FACILITIES. ADDITIONALLY  
24 DURING THIS WEEK, OUR OPERATING ROOMS WERE CLOSED TO ONLY  
25 EMERGENCIES AND ELECTIVE SURGERIES WERE CANCELED OR



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1 RESCHEDULED UNTIL AFTER THE MOVE SO THAT WE COULD SAFELY  
2 TRANSITION OUR O.R. EQUIPMENT AND PROCESS AND STAFF TO THE NEW  
3 FACILITY. THIS PROCESS, AGAIN, RESULTED IN A VERY EFFECTIVE  
4 AND PREPARED US TO EXACTLY TO OUR TARGET POINT AT OUR CENSUS  
5 ON THE DAY OF THE MOVE, AND WE WERE READY TO GO. I THINK THAT  
6 I'D LIKE TO GO AHEAD AND AT THIS POINT, THEN, AND TURN IT OVER  
7 TO IRENE RESENDEZ REGARDING THE STAFF PREPARATION THAT WAS  
8 REQUIRED TO MAKE THE MOVE SUCCESSFUL.

9

10 **IRENE RESENDEZ:** GOOD AFTERNOON, AND I WANT TO THANK YOU FOR  
11 THE OPPORTUNITY TO TALK ABOUT, AND I'LL BRAG A LITTLE BIT  
12 ABOUT THE WONDERFUL STAFF IN TERMS OF ALL THE EFFORTS THAT  
13 THEY WENT THROUGH TO MAKE SURE THAT PATIENTS WERE SAFE DURING  
14 THE MOVE. WE STARTED DOWN THIS JOURNEY A WHILE BACK IN TERMS  
15 OF MAKING SURE THAT ALL OF THE NURSING STAFF WERE COMPETENT IN  
16 ALL OF THE NEW EQUIPMENT. AS YOU KNOW, WE HAVE ALL NEW  
17 EQUIPMENT AT THE HOSPITAL. AND SO THEY GOT TRAINED ON  
18 MONITORS, NEW BEDS, NEW CRIBS, NEW PUMPS, EVERYTHING. THEY  
19 ALSO GOT ORIENTED NOT ONLY TO THE PHYSICAL PLANT BUT ALSO TO  
20 THEIR INDIVIDUAL UNIT SO THAT THEY KNEW THE LAY OF THE LAND  
21 BEFORE THEY ACTUALLY HAD TO GO IN THERE AND WORK, AND TO KIND  
22 OF WORK OUT NEW PROCESSES AND NEW PROCEDURES IN THEIR NEW  
23 ENVIRONMENT. FOR THE MOVE, IT WAS AWESOME THE WAY THE NURSING  
24 STAFF CAME TOGETHER AND, ALONG WITH THE M.A.C.C., LEARNED HOW  
25 TO USE THE GURNEYS, WHICH WASN'T EASY. A LOT OF THEM HAD NEVER



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1 RIDDEN IN AN AMBULANCE BEFORE, SO WE MOCKED THAT. WE ACTUALLY  
2 HAD A TOTAL OF SIX MOCK MOVES. ONE WAS A TABLETOP, FIVE WAS  
3 ACTUALLY PRETENDING ON A GURNEY WITH ALL OF THE EQUIPMENT IN  
4 THE AMBULANCE, FROM GENERAL -- FROM THE OLD GENERAL HOSPITAL  
5 TO THE NEW MEDICAL CENTER. AND I THINK IT WAS THE LITMUS TEST  
6 WAS THE DAY THE JOINT COMMISSION CAME IN AND EVERYBODY KNEW  
7 THEIR ROLES. EVERYBODY KNEW WHO WAS A SENDING COORDINATOR, WHO  
8 WAS A RECEIVING COORDINATOR, WHO WAS THE TRANSPORT NURSE. AND  
9 THEY TAUGHT THE SURVEYOR THE TERMINOLOGY, AND PROVED TO THEM  
10 THAT THEY WERE READY FOR THE MOVE. AND I THINK DR. STOTTS WILL  
11 TALK ABOUT THE MOVE.

12

13 **DR. CINDY STOTTS:** IT'S WITH PLEASURE THAT I'M ABLE TO TELL YOU  
14 HOW THIS MOVE WAS A PATIENT-CENTERED MOVE. WE TRANSPORTED  
15 PATIENTS WITH THE STARTING CENSUS OF 382. WE MOVED ON FRIDAY  
16 AN AVERAGE OF 37 PATIENTS EVERY SINGLE HOUR. THAT REPRESENTS  
17 ABOUT 1.6 MINUTES EACH PATIENT WAS COMING OUT OF ONE OF OUR  
18 TWO FACILITIES MOVING TO OUR -- INTO OUR BEAUTIFUL NEW HOME.  
19 THE TRANSPORTATION THAT IT TOOK REQUIRED OVER 2,000 PERSONNEL,  
20 AS YOU HAD HEARD. WE HAD 1,102 DOCUMENTED TRAINING SESSIONS IN  
21 ORDER TO PREPARE THE STAFF FOR THIS. THEY WERE INVOLVED WITH  
22 MEDICAL STAFF, RESIDENTS, NURSING MEDICAL STUDENTS, EVERY  
23 SINGLE TYPE OF STUDENT AND MEDICAL STAFF WERE INVOLVED IN THIS  
24 WHOLE PROCESS. AND WE ALSO USED THE U.S. NAVY TRAUMA PROGRAM  
25 AND TWO SQUADRONS OUT FROM MARCH AIR FORCE BASE, 452ND AIR



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1 MEDICAL STAGING SQUADRON AND THE 752ND MEDICAL SQUADRON. AND  
2 THEIR PRIMARY MISSIONS WHEN THEY'RE NOT HOME IN RIVERSIDE IS  
3 TO ACTUALLY TRANSPORT PATIENTS, OUR MILITARY PERSONNEL FROM  
4 IRAQ TO GERMANY, SO THEY BROUGHT A VERY, VERY SPECIAL PRESENCE  
5 TO OUR MOVE. THE EMERGENCY MEDICAL SERVICES REALLY EARNED  
6 COMMENDATION FOR THEIR ROLE IN PLANNING AND TRAINING AND  
7 TRANSPORTING. WE USED 35 AMBULANCES, INCLUDING 18 MODULAR  
8 AMBULANCES, WHICH ARE REALLY LITTLE MINI I.C.U., AND BARIATRIC  
9 AMBULANCES. WE HAD 90 GURNEYS THAT WERE ALL EQUIPPED WITH CODE  
10 DRUGS AND AMBU BAGS SO THAT IF ANY PATIENT NEEDED ANY  
11 ASSISTANCE, IT WAS THERE FOR THEM. SOME OF OUR MILESTONES,  
12 REPRESENTING THE HIGH ACUITY, WE TRANSPORTED 94 I.C.U.  
13 PATIENTS, INCLUDING 20 NEONATAL I.C.U. PATIENTS. I'M PROUD TO  
14 ANNOUNCE THAT OUR FIRST PATIENT WAS A NEONATAL I.C.U. PATIENT  
15 AND SHE BROUGHT LIFE INTO OUR NEW FACILITY AT 7:07 A.M. ON  
16 THAT FRIDAY MORNING. WHILE WE WERE HAVING OUR LAST DELIVERY AT  
17 WOMEN'S AND CHILDREN'S AT ABOUT 8:20, TWINS, BY THE WAY, WE  
18 WERE ALSO HAVING OUR FIRST DELIVERY OVER IN THE NEW IN-PATIENT  
19 TOWER. AND AT 8:24, A LITTLE BABY GIRL GRACED OUR NEW FACILITY  
20 AGAIN WITH A NEW SET OF LIFE. WE DID NOT COUNT HER IN THE  
21 TRANSFER STATISTICS. ANOTHER NEW MILESTONE, DR. TOM BURN, WHO  
22 HAS BEEN OUR MENTOR AND OUR SERVICE CHIEF OF SURGERY FOR  
23 DECADES LIBERATED A VERY DISEASED GALLBLADDER AT ABOUT ONE  
24 O'CLOCK IN THE AFTERNOON AND UTILIZING OUR BRAND-NEW  
25 INTEGRATED O.R. SYSTEMS, WHICH ARE THE STATE-OF-THE-ART AND



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1 THE LARGEST IN THE STATE, WITH 25 OVER ALL. AND FINALLY, THE  
2 LAST PATIENT LEFT WOMEN'S AND CHILDREN'S HOSPITAL AT 12:55 ON  
3 FRIDAY. AND THE LAST HOSPITALIZED PATIENT LEFT GENERAL  
4 HOSPITAL AT 1:22 ON SATURDAY. FINALLY, TO ADDRESS THE QUALITY  
5 OF THIS MOVE, YOU'VE HEARD ABOUT THE PLANNING. WE DID MANY  
6 MOCKS. AND THE ACTUAL MOVE THAT THIS HISTORIC EVENT REALLY  
7 REPRESENTS THE HEROIC EFFORTS OF OUR INCREDIBLE STAFF, WHO DAY  
8 IN AND DAY OUT PROVIDE OUTSTANDING CARE, TRAIN THE FUTURE OF  
9 MEDICAL PROFESSIONS WHO WILL TAKE CARE OF US AND WHO CAME  
10 TOGETHER WITH A MILITARY PRECISION TO WORK AS ONE. AND SO,  
11 SUPERVISORS, I'M HERE TO REPORT TO YOU TODAY THAT ALL PATIENTS  
12 WERE SAFELY MOVED INTO A NEW ERA OF HEALTHCARE AT L.A. COUNTY.

13

14 **SUP. MOLINA:** WELL, CONGRATULATIONS. MR. SCHUNHOFF -- DID YOU  
15 HAVE ONE MORE? I'M SORRY. PLEASE.

16

17 **CAROLYN RHEE:** I'M CAROLYN RHEE, PROJECT DIRECTOR. EVEN THOUGH  
18 THE PATIENT MOVE WAS THE MOST IMPORTANT ASPECT AND WE WANTED  
19 TO MAKE SURE THAT THAT WAS SAFE, I JUST WANTED TO GIVE YOU A  
20 LITTLE FLAVOR OF THE THOUSANDS OF OTHER ACTIVITIES THAT HAD TO  
21 OCCUR. FOR EXAMPLE, WE PURCHASED 28,000 PIECES OF EQUIPMENT AT  
22 A COST OF ABOUT \$100 MILLION. WE HAD TO FIT UP ABOUT 5,000  
23 ROOMS, WHICH MEANT WE HAD TO PUT EQUIPMENT AND SUPPLIES IN  
24 THERE AND TO GET IT READY FOR LICENSING. AND OUR HOSPITAL  
25 FACILITIES MANAGEMENT STAFF WAS REALLY INSTRUMENTAL IN



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1 ACCOMPLISHING THIS ACTIVITY. WE USED A COMPANY CALLED GRABEL  
2 TO DO THE NONPATIENT MOVE. IT TAKES ABOUT 3-1/2 WEEKS,  
3 INCLUDING SATURDAYS AND SUNDAYS. WE USED 10,000 BOXES, WHICH  
4 WE RECYCLED AND USED AGAIN DURING THE MOVE. THERE WERE 3,800  
5 PIECES OF EXISTING MEDICAL EQUIPMENT, WHICH WE MOVED TO THE  
6 NEW HOSPITAL, AND 2,500 P.C.S, PRINTERS, SCANNERS AND OTHER  
7 I.S. ITEMS. AND I JUST WANT TO SAY THAT IT WAS AN HONOR AND  
8 PRIVILEGE FOR ME TO WORK ON THIS PROJECT FOR THE PAST FIVE  
9 YEARS AND IT WAS A ONCE-IN-A-LIFETIME OPPORTUNITY.

10

11 **SUP. MOLINA:** WELL, AGAIN, LET ME CONGRATULATE ALL OF YOU. AND  
12 AS YOU ALL KNOW, I HAVE STAFF THERE THAT ARE WATCHING ALL, AND  
13 THEY HAVE BEEN VERY, VERY IMPRESSED. AND CERTAINLY AS YOU YOUR  
14 REPORT TODAY HAS STATED, IT HAS BEEN VERY IMPRESSIVE. THIS WAS  
15 A MAJOR MOVE, A MAJOR UNDERTAKING. AND I KNOW THAT YOU'VE ALL  
16 THANKED YOUR STAFF AND I THINK WE SHOULD ALL THANK THE STAFF,  
17 THEY DID A WONDERFUL JOB. BUT I WANT TO THANK ALL OF YOU,  
18 BECAUSE IT WAS THE LEADERSHIP, TRAINING, THE MOCK, THE  
19 CONSTANT REVIEWS, I THINK THAT NOT ONLY HAS IMPRESSED MANY OF  
20 THE REGULATORS BUT IMPRESSED MANY OF US. SUCH A VERY LARGE  
21 HOSPITAL, SUCH AN IMPORTANT MISSION THAT WE UNDERTAKE, AND I'M  
22 VERY PROUD THAT IT WENT WITHOUT A HITCH AND THAT WE'VE HAD  
23 TREMENDOUS SUCCESS. NOW, WE DO HOPE TO GET THESE REPORTS ON A  
24 REGULAR BASIS, BECAUSE WE'RE STILL MAKING THAT TRANSITION.  
25 IT'S NOT ALL THERE, I THINK WE ALL UNDERSTAND THAT. AND



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1 HOPEFULLY THE ONGOING REPORTS WILL BE AS POSITIVE AS TODAY'S  
2 REPORTS. AND WE LOOK FORWARD TO GETTING THIS INFORMATION, ALL  
3 OF US ARE INTERESTED IN THE WELL BEING OF OUR NEW HOSPITAL,  
4 WE'RE VERY PROUD AS BEING STATE-OF-THE-ART. BUT IT REALLY IS  
5 ALL ABOUT THE PEOPLE WHO WERE IN THE BUILDING EVERY SINGLE DAY  
6 AND HOW IT IS OPERATED AND HOW IT RUNS. AND SO WHILE WE'RE  
7 VERY PROUD OF THE NEW HOSPITAL, IT REALLY IS GOING TO TAKE  
8 THIS KIND OF ONGOING COORDINATION, LEADERSHIP, TEAM BUILDING,  
9 AND CERTAINLY STAFF SUPPORT ALL THE WAY THROUGH, SO  
10 CONGRATULATIONS AND THANK YOU SO MUCH FOR UPDATING US ON  
11 TODAY'S REPORT. THANK YOU.

12

13 **SUP. BURKE, CHAIR:** THANK YOU. AND CONGRATULATIONS. SOUNDS LIKE  
14 EVERYTHING WENT JUST WONDERFUL AND WITHOUT A HITCH.  
15 CONGRATULATIONS ON A JOB WELL DONE. FIVE YEARS IN THE MAKING,  
16 HUH? I GUESS THAT'S WHAT IT TAKES.

17

18 **SUP. MOLINA:** 10 YEARS OF AGONY.

19

20 **SUP. BURKE, CHAIR:** I KNOW, I KNOW. DON'T REMIND ME. ALL RIGHT.

21

22 **CLERK SACHI HAMAI:** WE HAVE PUBLIC COMMENT.

23

24 **SUP. BURKE, CHAIR:** PUBLIC COMMENT. HILLARIE LEVY AND JOHN  
25 WALSH.





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1  
2 **HILLARIE LEVY:** MY NAME IS HILLARIE LEVY. IT TOOK 11 MONTHS  
3 AFTER THE D.A. NOTIFIED THE BOARD OF A VIOLATION OF THE BROWN  
4 ACT INVOLVING PUBLIC SPEAKING FOR A CORRECTION TO BE MADE.  
5 ACCORDING TO THE COUNTY COUNSEL, THERE WAS A GLITCH IN THE  
6 COMPUTER SYSTEM, AN 11-MONTH GLITCH. WHAT A SHAMEFUL EXCUSE  
7 DEMONSTRATING LITTLE RESPECT FOR YOUR CONSTITUENTS. YOUR  
8 CONSTITUENTS MIGHT WONDER WHY THE BOARD IGNORED THIS  
9 INFORMATION WHEN IT WAS HAND DELIVERED BY THE BAILIFF TO EACH  
10 OF YOU AND THE COUNTY COUNSEL SEVERAL TIMES AT BOARD MEETINGS.  
11 ACCORDING TO THE D.A., THE COUNTY COUNSEL IS TAKING ADVANTAGE  
12 OF A LOOPHOLE WHERE OUR CURRENT HONOR SYSTEM HAS NOT SERVED AS  
13 A SUFFICIENT DETERRENT TO PREVENT STATE AND COUNTY AGENCIES  
14 FROM OBEYING LAWS IN A TIMELY MANNER. NO SPECIFIC STATUTORY  
15 AUTHORITY EXISTS THAT ESTABLISHES A TIME FRAME WITHIN WHICH  
16 AMENDMENTS TO THE LAW MUST BE POSTED OR REPRINTED BY AN AGENCY  
17 SUCH AS THE BOARD OF SUPERVISORS. THIS ABOVE-THE-LAW MENTALITY  
18 RESONATES IN THE WAY EMPLOYEE LAW VIOLATIONS ARE ADDRESSED  
19 SUCH AS IN THE CASE OF THE KING-DREW INCIDENT AND SUPERVISOR  
20 YAROSLAVSKY'S UPPER MANAGEMENT EMPLOYEE WHO VIOLATED  
21 H.I.P.A.A. AND HEALTH AND SAFETY CODE 11055 WHEN SHE  
22 IDENTIFIED HERSELF AS AN EMPLOYEE OF THE SUPERVISOR WHILE  
23 PRESENTING A NONLEGITIMATE MEDICAL DIRECTIVE TO A HOSPITAL  
24 OMBUDSMAN AND TOOK A DYING SUBORDINATE'S MORPHINE. IN THESE  
25 CASES, THE BOARD NEVER DENIED THESE VIOLATIONS OCCURRED, BUT



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1 RULED THE OFFENSES WERE NOT RELEVANT TO THE JOB USING THE  
2 EXCUSE THIS DOESN'T FALL UNDER THE SCOPE OF HER EMPLOYMENT.  
3 ACCORDING TO AN "L.A. TIMES" ARTICLE, THIS SAME EXCUSE OCCURS  
4 65% OF THE TIME. THE COUNTY COUNSEL AND THE BOARD OF  
5 SUPERVISORS ARE FUNDED BY THE TAXPAYERS TO PROTECT THEIR  
6 INTERESTS, INCLUDING THEIR RIGHT TO SPEAK AT THIS PUBLIC  
7 FORUM, NOT UTILIZE LOOPHOLES FOR THEIR OWN BENEFIT.  
8 RECOMMENDATIONS FOR AN L.A. COUNTY ETHICS COMMITTEE, AN  
9 ADVOCATE FOR THE CONSTITUENTS' COMPROMISE TO VOLUNTEER  
10 CITIZENS WHICH WOULD FOCUS ON CURTAILING VIOLATIONS AND USE OF  
11 LOOPHOLES INVOLVING L.A. COUNTY CONTINUES TO BE IGNORED BY THE  
12 BOARD. THIS, ALONG WITH THE BOARD TAKING 11 MONTHS TO BE  
13 FORCED TO COMPLY WITH THE BROWN ACT DEMONSTRATES THE NEED FOR  
14 THIS COMMITTEE. L.A.'S CONSTITUENTS DESERVE TO BE TREATED WITH  
15 DIGNITY AND RESPECT BY THIS BOARD.

16

17 **SUP. BURKE, CHAIR:** THANK YOU VERY MUCH. MR. WALSH.

18

19 **JOHN WALSH:** JOHN WALSH. NO ON "R" MEASURE "R" COMMITTEE. THE  
20 SERIES OF LIES, MS. MOLINA, THAT WE HAVE HEARD ON -- FIRST  
21 IT'S PASSED, THEN IT'S NOT PASSED. NOW THERE ARE A QUARTER OF  
22 A MILLION CHALLENGED VOTERS. WE HAVE GONE TO CONGRESSMAN DAVID  
23 DRIER AND ASKED FOR A CIVIL RIGHTS INVESTIGATION. BECAUSE I'M  
24 GOING TO TELL YOU WHAT THEY'RE DOING RIGHT NOW. THEY ARE  
25 SYSTEMATICALLY DISQUALIFYING ASIAN, SAN GABRIEL VALLEY BALLOTS



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1 BECAUSE THEY KNOW THAT THAT SECTION OF THE ELECTORATE IS MORE  
2 LIKELY TO HAVE VOTED AGAINST IT. ON THE WEST SIDE, CHALLENGED  
3 BALLOTS ARE BEING ALLOWED. ON THE SAN GABRIEL VALLEY, THEY ARE  
4 BEING DISQUALIFIED. WE HAVE GONE TO SECRETARY OF STATE DEBRA  
5 BOWEN. YOU WANT TO KNOW MORE ABOUT THIS, HIGHLANDS.ORG. WE  
6 HAVE GONE AND WE HAVE NOW HAD AN OFFICIAL INVESTIGATION OPEN.  
7 YOU CAN CALL DEBRA BOWEN'S OFFICE AT 916-657-5548. THAT'S 916-  
8 657-5548 AND ASK ABOUT INVESTIGATION CASE NUMBER 2268. WE'RE  
9 ASKING EVERYBODY TO CALL BECAUSE NOTHING'S GOING TO BE DONE  
10 UNTIL MISS BOWEN'S OFFICE IS SWAMPED WITH PHONE CALLS. NOW THE  
11 OTHER ISSUE IS THAT ARNOLD SCHWARZENEGGER SIGNED THE ENABLING  
12 LEGISLATION FOR THE BALLOT, SO TO BE PLACED ON THE BALLOT ON  
13 OR ABOUT AUGUST 15TH. THE BALLOTS, THE MAIL-IN BALLOTS  
14 OVERSEAS HAD BEEN SENT OUT ON THE 5TH, 10 DAYS BEFORE. IN  
15 FACT, IT WAS AN UNLAWFUL BALLOT. THE BALLOT WAS UNLAWFUL FROM  
16 THE BEGINNING. NOW, LOOK, MAYBE WE CAN JUST FORGET ABOUT THE  
17 LAW, IF THAT'S WHAT IT'S ABOUT. I'M ASKING FOR WHAT HAPPENED  
18 TO THE HOWARD JARVIS TAXPAYERS' ASSOCIATION? EVERYBODY SEEMS  
19 TO HAVE GONE RIGHT WING -- GONE LEFT WING ON THIS. LADIES AND  
20 GENTLEMEN, LET ME GIVE YOU THE PHONE NUMBER. YOU WANT TO SEE -  
21 - YOU KNOW, IT'S NOT JUST MIAMI AND IT'S JUST NOT REPUBLICANS  
22 THAT STEAL ELECTIONS. IT'S JUST NOT THEM. CALL 916-657-5548  
23 AND DEMAND, START OPENING YOUR OWN INVESTIGATION. LET'S OPEN  
24 200 TO 300 INVESTIGATIONS, 400, BECAUSE THE TIMES AND THE  
25 DAILY NEWS ARE IN FAVOR OF MEASURE "R" AND THERE IS A BLACKOUT



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1 ON THIS. EVERYBODY KNOWS WE ARE GOING, THAT'S WHY WE HAVE TO  
2 GO TO THE REPUBLICANS. AGAIN, 916-657-5548. I SPOKE TO DEBRA  
3 BOWEN WHEN SHE APPEARED AT A FUNCTION HERE AT THE HAMMER  
4 MUSEUM. SHE IS GOING TO GO ON TO THIS ISSUE. IT IS AN ILLEGAL  
5 VOTE. VOID THE ELECTION. VOID THE BALLOT. THANK YOU ON MEASURE  
6 "R."

7

8 **SUP. BURKE, CHAIR:** THANK YOU.

9

10 **JOHN WALSH:** OH, AND I HAVE COPIES FOR ALL OF YOU.

11

12 **SUP. BURKE, CHAIR:** YES.

13

14 **SUP. MOLINA:** GOSH, THIS IS SO SAD. I'M ASKING THAT ALL MEMBERS  
15 ADJOURN IN THE MEMORY OF MR. SA'ID RUSHDIE, A FORMER LONG-TIME  
16 COUNTY EMPLOYEE WHO RETIRED FROM THE LOS ANGELES COUNTY  
17 COMMUNITY DEVELOPMENT COMMISSION IN 2006. I DON'T KNOW HOW  
18 MANY OF YOU HAD AN OPPORTUNITY TO WORK WITH SA'ID, BUT HE'S A  
19 REAL TRAILBLAZER. HE WORKED WITH US ON SO MANY ISSUES,  
20 INCLUDING AFFORDABLE HOUSING, THAT WE'VE BEEN ABLE TO BUILD SO  
21 MANY UNITS WITHIN OUR DISTRICTS. AND HE HAS HELPED AND SO MANY  
22 FAMILIES MOVE INTO AFFORDABLE HOUSING. HE WORKED TIRELESSLY  
23 WITH MY STAFF ON BEHALF OF OUR CONSTITUENTS. I'M REALLY  
24 HONORED TO ACKNOWLEDGE HIS EXEMPLARY PUBLIC SERVICE AND  
25 SADDENED TO HEAR THAT HE'S PASSED AWAY. WE WANT TO EXTEND OUR



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1 HEARTFELT CONDOLENCES TO HIS ENTIRE FAMILY, IN PARTICULAR TO  
2 HIS SON.

3

4 **SUP. BURKE, CHAIR:** SO ORDERED. ALL MEMBERS.

5

6 **CLERK SACHI HAMAI:** IN ACCORDANCE WITH BROWN ACT REQUIREMENTS,  
7 NOTICE IS HEREBY GIVEN THAT THE BOARD OF SUPERVISORS WILL  
8 CONVENE IN CLOSED SESSION TO DISCUSS ITEM NUMBER CS-2,  
9 CONFERENCE WITH LABOR NEGOTIATORS WILLIAM T FUJIOKA AND  
10 DESIGNATED STAFF. AND ITEM NUMBER CS-3, CONSIDERATION OF  
11 DEPARTMENT HEAD PERFORMANCE EVALUATIONS AS INDICATED ON THE  
12 POSTED AND SUPPLEMENTAL AGENDA. PLEASE NOTE THAT THE BOARD OF  
13 SUPERVISORS' NEXT REGULAR MEETING WILL BE HELD ON TUESDAY,  
14 NOVEMBER 18TH, 2008, AT 9:30 A.M. THANK YOU.

15

16

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1 I, JENNIFER A. HINES, Certified Shorthand Reporter

2 Number 6029/RPR/CRR qualified in and for the State of  
3 California, do hereby certify:

4 That the transcripts of proceedings recorded by the  
5 Los Angeles County Board of Supervisors November 12, 2008  
6 were thereafter transcribed into typewriting under my  
7 direction and supervision;

8 That the transcript of recorded proceedings as  
9 archived in the office of the reporter and which

10 have been provided to the Los Angeles County Board of  
11 Supervisors as certified by me.

12 I further certify that I am neither counsel for, nor  
13 related to any party to the said action; nor

14 in anywise interested in the outcome thereof.

15 IN WITNESS WHEREOF, I have hereunto set my hand this  
16 14th day of November 2008 for the County records to be used  
17 only for authentication purposes of duly certified transcripts  
18 as on file of the office of the reporter.

19

20 JENNIFER A. HINES

21 CSR No. 6029/RPR/CRR

22

23

24

25